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ABSTRACT

This report discusses a variety of K-12 educational programs in California that constitute alternatives to instruction at regular public schools. For each of the programs discussed, the report identifies pertinent issues and provides policy recommendations. The report contents are based on visits to 18 school districts and 8 offices of county superintendents of education, along with interviews conducted with the staff of the California State Department of Education. Separate chapters deal in turn with the following programs: (1) independent study, (2) regional occupation centers and programs, (3) work experience, (4) continuation schools, (5) opportunity schools, and (6) community schools. Subsequent chapters discuss other forms of alternative schools such as magnet schools and consider the question of funding mechanisms for alternative programs. The conclusion suggests that the place of alternatives in the overall scheme of educational reform is a topic in need of greater clarification. Three appendixes provide (1) state funding formulas for alternative programs, (2) an extensive response by the California State Department of Education to the report as a whole, and (3) comments on the Department of Education response. (TE)

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ALTERNATIVE EDUCATION

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EA 018 470

ALTERNATIVE EDUCATION

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SEPTEMBER 1985

PREFACE

This report discusses a variety of K-12 educational programs which constitute "alternatives" to traditional instruction at regular public schools. Issues are identified and some recommendations are offered.

Some of the recommendations in this report call for establishment of minimum program standards. Inasmuch as the study did not involve a comprehensive analysis of the Board of Education's statutory authority, the report generally does not specify whether regulation would be a feasible avenue of implementation or whether it would, instead, be necessary to seek legislation. It is possible that the Department of Education may have to seek legislation if it wishes to implement some areas of recommendation.

The report contents are based on visits to eighteen school districts and eight offices of county superintendents of education. In addition, interviews were conducted with staff of the State Department of Education. The cooperation and assistance of the agencies which were contacted aided greatly in the preparation of this report.

The text of most of the report was prepared in the Spring of 1984. However, the writers believe that most of the issues within the report are still current. Editorial notes are provided in a few areas to clarify the impact of subsequent legislation.

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SUMMARY

This report discusses educational programs which are alternatives to traditional educational methodologies. These programs provide needed approaches and services to groups of students who would not otherwise be adequately served.

Independent Study

Independent study is a flexible program which gives students the opportunity to pursue educational objectives with a minimum of oversight. Often, the students on independent study have had a great deal of difficulty in coping with the demands of the traditional school site and formal classroom instruction.

While the flexibility of the program has advantages by permitting a student's needs and circumstances to be considered, we believe these advantages can be retained in the presence of minimum program standards in order to avoid potential abuses with respect to the administration and fiscal consequences of the program.

We recommend:

* adoption of legislative or regulatory standards specifying the minimum frequency and duration of counseling sessions between

a full-time independent study student and a certificated instructor. (These standards should also specify whether the counseling sessions should be on a one-to-one basis, or whether small group or periodic class meetings are acceptable.)

* that the Department of Education request an Attorney General's opinion with respect to the constitutionality of using State apportionments to contract with private educational institutions for the full educational program of public school students on independent study.

* adoption of legislative or regulatory standards which specify maximum student/teacher ratios for full-time independent study.

* establishment of a legislative cap on the maximum percent of a district's average daily attendance which may be realized through full-time independent study.

* repeal of the existing prohibition on enrollment in independent study of more than ten percent of the students in a continuation school or an opportunity school or program, inasmuch as a cap on overall district participation is recommended in its place.

* that each school district having a full-time independent study program review its program to determine if standards should be adopted requiring a student to demonstrate the achievement of minimum skills before enrollment in the program.

* adoption of legislative or regulatory standards requiring that a student be declared ineligible for full-time independent study if the student exceeds an allowable number of unexcused absences.

* adoption of a legislative or regulatory standard prohibiting the award of retroactive attendance credit for any period in which the student has an unexcused absence.

* the adoption of legislative or regulatory standards establishing a maximum number of credits which may be earned in independent study during the school year.

Regional Occupation Centers/Programs (ROC/Ps)

The State has an explicit policy of determining the maximum number of instructional hours for which a student can be enrolled in an

ROC/P course. However, students who have not completed the course in those hours are sometimes permitted to re-enroll, thus generating new apportionments which exceed the limit on approved course hours. Therefore, we recommend that the Department of Education instruct ROC/Ps that A.D.A. may not be claimed for a student's attendance beyond the approved course hours.

Regional Occupation Programs frequently offer students the opportunity to participate in community classrooms, which are work-sites operated by a public or private employer. The statutory authority for this program is unclear and it is questionable whether any funds should be apportioned for A.D,A. generated by community classrooms unless the Legislature acts to provide specific statutory authority. AB 3460 (Johnston) of the 1984 session would provide a legal basis for the program.

> (Editor's Note: Since preparation of this report, AB 3460 has been enacted as Chapter 1706, Statutes of 1984, and provides the necessary statutory authority for community classrooms.)

Other issues discussed relative to community classrooms are: (a) the need for clarifying application of the requirement for "immediate supervision and control" by a certificated instructor; and, (b) the possibility of establishing a common statutory cap on the maximum number of credits which may be earned from a combination of work experience and community classroom instruction.

Regional Occupation Programs frequently offer on-the-job compensable occupational training through a program called cooperative vocational education, while high schools generally use the work-experience program. Because the financial consequences to the State are different, we recommend the adoption of legislative or regulatory standards specifying when it is appropriate to enroll a high school student in cooperative vocational education as opposed to vocational work experience.

> (Editor's Note: Since preparation of this report, AB 3460 has been enacted as Chapter 1706, Statutes of 1984. This legislation requires the Superintendent of Public Instruction to "... adopt rules and regulations for cooperative vocational education programs and community classrooms." Although not specifically required by the legislation, the development of such rules would provide a convenient opportunity for the Department to specify when it would be appropriate to enroll a high school student in cooperative vocational education as opposed to vocational work experience.)

The report also discusses the possibility of establishing a statutory cap on the maximum number of credits which may be earned from a combination of work experience and cooperative vocational education.

ROPs provide some training through contracts with private, post-secondary institutions. Since the courses may generate apportionments in excess of their costs, and thus provide an incentive for contract renewal, we recommend that the Department's periodic review of established courses involve particular emphasis upon the market demand and placement success of courses on contract with private, post-secondary institutions.

Title V of the Administrative Code prohibits the "supplantation" of the course offerings of another local education agency. We believe the current requirement against supplantation is too general since it allows the establishment of new courses if there has been "... a material revision of the curriculum, student population served and/or projected course outcomes." A possible alternative to this approach is presented in the text. We recommend that the Department of Education, in cooperation with representatives of the Regional Occupation Centers and Programs, review the current requirements against supplantation to determine if further controls are feasible.

Work Experience

The Education Code specifies that a maximum of 125 students may be assigned to a full-time work experience coordinator. Since the standard is not always followed, we recommend that the Department of Education develop an enforcement methodology for fostering school district compliance with the established coordinator-pupil ratio for the work experience program.

Another issue discussed within the report concerns implementation of the SB 813 (Chapter 498, Statues of 1983) requirement for "at least one hour per week of classroom instruction or counseling" for work experience students.

> (Editor's Note: Since preparation of this report, AB 3331 was enacted as Chapter 1024, Statutes of 1984 and provides a new standard for related instruction in the work experience program.)

For reasons explained in the text, we recommend that the Department of Education study the role of work-experience programs in the reformed secondary school system which is emerging from both current and proposed revitalization efforts and that, if appropriate, changes be proposed.

Continuation Schools

Continuation high schools are often operated on a shorter instructional day than the comprehensive high school. This shorter day holds the potential for interfering with a student's opportunity to amass enough credits for graduation, especially since the student is often behind in credits when transferred to the continuation school. The opportunity for graduation for students enrolled in continuation schools may become even less likely in the future inasmuch as District-wide credit requirements for graduation may be expected to increase among some districts as a result of recently enacted financial incentives for longer instructional days at the comprehensive schools. Therefore, we recommend that the Department of Education develop a proposed state policy, including any necessary proposals for structural reform, which is aimed at insuring graduation opportunities within continuation schools in the face of possible district increases in the credits necessary for graduation.

In order that work experience students satisfy the fifteen hour a week of attendance required for a unit of average daily attendance (A.D.A.), a typical pattern for students employed on a full-time basis is to attend classroom instruction for five (5) hours a week and to receive additional attendance credit of ten (10) hours a week from the work-experience program. In comparison to the comprehensive high schools, this use of the work-experience program has a disproportionate impact upon: (a) a unit of A.D.A. and (b) the extent of classroom instruction. The Department should probably attempt to determine if it would be feasible for the involved students to attend more than five (5) hours per week. We recommend that the Department of Education review the role of the work-experience program in continuation education with a view to developing alternatives for minimizing its impact upon classroom instruction.

Opportunity Schools/Programs

The report discusses the need to provide clarification with respect to the distinction between opportunity and continuation schools at the high school level. The report also discusses other issues with respect to the incentive funding for opportunity education within SB 813 (Chapter 498, Statutes of 1983). In particular, the report raises the following questions: (1) should the same level of incentive funding be offered for a part-time opportunity program as is offered for a full-time opportunity school? (2) Should the incentive funding be tied to increases in average daily attendance rather than enrollment?

> (Editor's Note: Subsequent to the preparation of this report, the 1984-85 Budget Act was passed and requires that the incentive funding for opportunity education be tied to increases in average daily attendance.)

Community Schools

County operated community schools receive the juvenile hall revenue limit for enrollment of students under Section 1981 (c) of the Education Code, i.e., wards of the court or students on probation. Some of the students enrolled under Section 1981 (c) have been adjudicated a ward of the court or placed on probation because of a criminal offense. Others have been declared a ward of the court under Section 601 of the Welfare and Institutions Code because of a "status offense", e.g., chronic truancy, disobedience of school authorities, etc. The rationale for reimbursing the attendance of Section 601 youth at the juvenile hall revenue limit, which is usually higher than that of a school district, is unclear and may be in need of re-examination.

CHAPTER I

INTRODUCTION

Study Purpose

This report discusses a variety of K-12 education programs which constitute "alternatives" to traditional instruction at regular public schools. While the term "alternative" is used in the Education Code to designate one particular set of changes to the "normal" education modality, it is used in this report in its more generic sense, as designating any organized alternative to whatever is considered to be "the regular academic program of the local school system." The report specifically focuses upon: (a) independent study, (b) regional occupation centers and programs (ROC/Ps), (c) work-experience, (d) continuation schools, (e) opportunity schools, and (f) community schools.

The study was undertaken for the primary purpose of improving the Department of Finance's understanding of the various alternative programs and how each program inter-relates with traditional education and other alternatives. This year, 1984, seems to be a particularly appropriate time to report upon these programs; the "back-to-basics" philosophy and educational reforms which are contained in SB 813 (Chapter 498, Statutes of 1983) will probably impact the alternative programs--either by circumscribing or encouraging their growth. As the State's schools and students are encouraged by the reform movement to both aspire for and to achieve higher levels of academic performance, these goals will consume more and more of the time and energy available to the State's students. As the education community embraces stricter academic course requirements and as remedial offerings take up more of the time of students who have not yet mastered required academic competencies, the need for some of the alternatives under discussion here could diminish. On the other hand, to the degree that students are unable to adjust to the educational reforms and/or schools are not vigorous in enforcing attendance laws and providing guidance and direction to students, more students could be diverted to the alternatives discussed in this report. Whatever happens, it is likely that the alternative programs are entering a period of change.

The text of the report focuses largely upon the structure of the alternative programs. A variety of issues are identified and some recommendations are offered in order to encourage program refinement and the establishment of State standards vis-a-vis program structure.

Program Descriptions and Funding Mechanisms

The Education Code provides a statutory description of each of the programs discussed in this report. Each program is defined somewhat differently and the descriptions, in some instances, include identifiable objectives. For the sake of brevity, the reader is referred to the Education Code for the legal distinctions which exist between the programs.

The programs also have similarities. The eligibility criteria, to the extent they exist at all for each program, are usually limited; as a result, it is often not possible to clearly distinguish one program's client group from that of another. To some extent, it is possible to view some of the programs as offering different alternatives for students experiencing similar problems.

Each program is funded through a traditional A.D.A. revenue limit computation. Differences do exist, however, with respect to what constitutes a unit of A.D.A. and whether a program may receive reimbursement for fractional or multiple units of A.D.A. While the differences are analyzed in the text, the reader is referred to the Appendix for a brief overview.

CHAPTER II

INDEPENDENT STUDY

Independent study gives students the opportunity to independently pursue educational objectives with a minimum of oversight and without necessarily being a part of the social context of the regular school setting.

A district's independent study program may allow students to pursue specialized or advanced interests for which the regular curriculum does not have offerings. In such circumstances, a student may receive credit for independent study for one or more courses, with teaching staff providing guidance and review of student progress in addition to their regular teaching duties.

More often, however, independent study provides a complete substitute for regular instruction. It is designed not to meet a specialized need or interest, but rather as a full-time program to provide an alternative to attendance in traditional or other educational settings. The subject matter of the curriculum (although not necessarily the course content) is essentially the same as in the traditional classrooms, and only the minimum secondary courses of study are often available. In these circumstances, independent study is an alternative in that it provides a different learning modality, i.e., formal classroom instruction is replaced by structured assignments. Typically, the assignments are reviewed about once a week in either one-to-one or small group sessions between the student(s) and the teacher or teacher's aide. Occasionally, independent study is combined with weekly or twice-weekly formal classroom instruction. In other cases students spend considerable amounts of time at the independent study center. In this situation the independent study program provides non-classroom learning in a school setting involving relatively close supervision and, sometimes, tutoring. This structure, as well as the private school contracts discussed subsequently, underscore the fact that the independent study program is very flexible with respect to the degree of guidance and supervision provided to pupils. The program may be structured to involve either a great deal or very little student independence.

While full-time assignment teachers are the most often used in independent study programs when independent study is used to meet students' full-time educational needs, part-time teachers and regular school teachers working evenings for extra pay are also used in some areas. Independent study teachers' time is spent in periodic meetings with students and in structuring assignments tailored to an individual student's progress.

The independent study center to which students report may be part of the traditional school site, an adjunct to a continuation school, an adult education school, or a separate school in itself. In some districts the teacher or aide may travel to the student's home for each meeting.

Independent study may serve motivated and sometimes gifted students when designed to satisfy specialized or advanced interests.

For example, a student may wish to study a subject (such as Russian language) or an academic level (such as advanced physics) which the school does not offer. However, when independent study is used as a complete substitute for traditional classroom instruction, the students may include all levels of ability and achievement.

In the latter circumstances, independent study may be used in a small proportion of cases to accommodate a student's work-schedule or home situation. Usually, however, it is offered because the student has experienced difficulty coping with the demands of the traditional school site and formal classroom instruction. These difficulties could be manifested in a history of truancy or the student could have already "dropped out"; for truants and drop-outs, independent study is used to maintain some affiliation with the educational process (although only a very small fraction of all drop-outs are placed in independent study). Other students on independent study may have behavioral and/or discipline problems which makes continued attendance at the regular school site (or transfer to a continuation or opportunity school) unacceptable. In these cases, independent study may be used as an alternative to suspension or expulsion; it may be used, that is, as a student's "last chance" for affiliation with public schools. In these instances, the reason for placement may vary widely, reflecting the widely varying discipline and attendance policies of the State's school districts. In one district, violating the dress code may be enough to cause a student to be placed in full-time independent study, while in other cases only serious attendance or discipline incidents will lead to such placement.

There are also schools in which the independent study program is available to students 18 to 21 years of age who are no longer in school. In most districts such students would be enrolled in adult education programs. Such adult education programs have substantially lower revenue limits than independent study programs and the students generally have to deal with a "sink or swim" approach to accommodating themselves to the discipline of the school.

Another relatively small group of students who are in full time independent study consists of students who are engaged in full time training programs, such as athletes in training for major competitions and some students with ballet companies. In these cases, regular school attendance is traded for early specialization tracks. The study team also encountered some cases of seriously ill children residing in health care facilities who were served by full time independent study. It is not clear to the study team why such students are not served by district "Home and Hospital" instructional programs when such are available.

A key feature of independent study is its lack of overall program structure and consequent flexibility. To be sure, such flexibility has advantages in that it permits individual needs and circumstances to be considered (e.g., the assignments may be geared to student progress). Nevertheless, we believe whatever advantages are associated with program flexibility can be retained even if the State introduces minimum program standards in order to avoid potential abuses with respect to the administration and fiscal consequences of full-time independent study programs.

Teacher Supervision

As noted, students only attending school through independent study are typically expected to report about once a week (for fifteen minutes to an hour) during which assignments are turned in, progress reviewed, and new assignments given. This practice is encouraged in *A Manual of Operational Procedures and Curriculum Guide for Contract Independent Study*, published in 1981 by the Department of Education and the California Consortium for Independent Study. These guidelines suggest that:

> Every independent study student must meet with the school district representative named in his or her written agreement a minimum of one hour per week, at the site specified in the agreement, unless other specific contacts are described in the agreement to accommodate for a student's travel away from the area where the customary contact would occur or other officially recognized reason. (p. VII-3.)

While the above guideline is useful, the expectation of weekly reporting may not be followed by local schools in the independent study contract terms. This is because the guidelines have not been adopted as legislative or regulatory standards which would have the force of law. Such a legislative or regulatory standard could provide appropriate exemptions to periodic reporting when it was impractical (e.g., the student was hospitalized).

Another issue with respect to teacher supervision concerns the current statutory authorization for independent study to be under the *general*--as opposed to specific or immediate--supervision of a certificated instructor. While it would be infeasible to have independent study under the continuous supervision of a certificated instructor, the requirement for only general supervision has been interpreted in some cases to allow teachers' aides to serve as the contact personnel for the periodic reporting sessions, including situations in which the aide goes to the student's residence and the teacher very rarely even sees the students.

As noted in the aforementioned guidelines:

> Teachers may exercise "general supervision" instead of the "immediate supervision and control" previously required by law. Hence, paraprofessionals or volunteers with special skills may be used in Independent Study programs under the general supervision of a supervisor designated by the school district. (p.111-1)

We believe that the provision for "general supervision" was intended to permit non-credentialed persons with special skills to provide a specialized type of training not available from regular certificated employees of the district, and that it was not intended to permit regular academic instruction or counseling of the type routinely performed by district personnel to be performed by non-certificated persons. The concept of general supervision should be further defined through either legislation or regulation to require a minimum of direct, periodic oversight of a pupil by a certificated instructor.

We believe that a primary strength of the independent study program is the flexibility it allows with respect to the content and volume of the program. This flexibility is a positive feature enabling the design of programs which return drop-outs to school or which encourage potential drop-outs to continue their education. Consistent with the retention of program flexibility, we believe it is also important that independent study students receive the benefit of at least a minimum degree of teacher oversight. Since the program was not intended to displace the role of the teacher in the educational process, we recommend adoption of legislative or regulatory standards specifying the minimum frequency and duration of counseling sessions between a full-time independent study student and a certificated instructor. These standards should also specify whether the counseling sessions should be on a one-to-one basis, or whether small group or periodic class meetings are acceptable.[1] For this and any other recommendation pertaining to the establishment of standards, the Department of Education should be given the authority to authorize appropriate waivers or exemptions.

A likely area of exemption with respect to periodic reporting would occur when independent study is used for a student's education--and the district's A.D.A. income--during a vacation taken during the school year. The study team found instances of this practice ranging from one day to several months or even longer in duration. While this use of the program has the advantage of allowing students to keep up with their grade levels, it also has the disadvantage of legitimatizing the removal of children from the school setting and establishes what, in effect, is a correspondence course. We have seen cases of primary grade children whose parents have limited English language skills who have been enrolled in independent study for many months. While it is relatively easy to understand an academicly prepared older student's ability to study subject matter independently, we question the premise that it is possible for elementary language skills to be learned "independently" by very young children.

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[1] In the case of independent study, Section 51746 of the Education Code indicates that "the nature, manner of conducting, and location of any independent study program shall be determined by the school district or county board pursuant to rules and regulations adopted by the State Board of Education." (Emphasis added.)

The independent study program may also involve courses of instruction or other training conducted by private schools, academies or other institutions with the public school districts receiving corresponding State apportionments. The study team found two principal variants of this practice: one in which the district "contributed" instructional personnel to programs administered by private organizations and claimed apportionments under the authority of independent study for the instructors' instructional time; and another variant in which the district provided no instructional or other personnel, but passed on some portion of the State apportionments to the organization operating the school. One of effects of this practice is to permit public funds to support educational activities provided to children by teachers who are not certificated by the State, since public--but not private--schools are generally required to employ only State certificated teachers. This is a very significant deviation from established State education policy.

Staff of the State Department of Education indicated that such practices are legitimate as long as the local school board retains "control" of the educational program. However, in those sites visited by the study team the district's role was either largely fiscal or district personnel worked at the effective direction of non-public school persons.

The study team notes that such an arrangement could be made between any private school and any public school district, and questions whether this arrangement is consistent with the principle that public funds are not to be used to support education in private schools, except in certain instances where the Legislature has authorized reimbursement for certain specific services, e.g., specialized services to handicapped children and some supplemental vocational programs. Section 8, Article IX, of the California Constitution states:

> "No public money shall ever be appropriated for the support of...any school not under the exclusive control of the officers of the public schools..."

We recommend that the Department of Education request an Attorney General's opinion with respect to the constitutionality of using State apportionments to contract with private educational institutions for the full educational program of public school students on independent study. If the Attorney General's opinion suggests the practice may be unconstitutional, the Department of Finance and the Department of Education should take immediate steps to withhold apportionments for any A.D.A. claimed under such arrangements.

Student-Teacher Ratios

Although the previously mentioned guidelines provide that "the student/teacher ratio existing in a district should not be exceeded in an Independent Study Program",[2] the legislation and regulations governing the independent study program are silent in regard to the number of students who may be supervised by an FTE certificated instructor. As a result, it is possible for the number of students assigned to each teacher to substantially exceed the student-teacher ratio for a district as a whole. Of course, it is possible that a teacher's workload under such circumstances is reduced to a level permitting reasonable oversight because many independent study students--who are often in independent study because of a history of attendance problems--either drop-out or do not report on a regular basis. However, in spite of this qualification, it is possible that an independent study teacher may be assigned an enrollment which generates A.D.A. reimbursements far in excess of the cost of the program and which reduces the quality of oversight with respect to a pupil's progress. Therefore, we recommend the adoption of legislative or regulatory standards which specify maximum student/teacher ratios for full-time independent study. By way of illustration, a standard could be framed to allow districts to claim A.D.A. for a maximum of ten (10) to twenty (20) percent above the average per teacher A.D.A. in the District. Allowing somewhat more A.D.A. per teacher than in the District as an average would have the advantage of allowing some of the revenues generated by the independent study program to be used for ancillary services, e.g., the selective use of teachers' aides to provide counseling or tutoring over and above that provided by the certificated instructor in the periodic reporting session, diagnostic services for independent study students including the determination of whether the student has skill levels sufficient for the program.

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[2] This statement was contained in the 1981 edition of the guidelines but does not re-appear in the March 1984 update to that edition.

We believe that since independent study is an elective program for a school district, the establishment of a maximum student/teacher ratio (or other program standards) would not constitute a reimburseable State mandate. If a maximum student/teacher ratio were found to be a reimbursable mandate, it could be issued as a guideline similar to that in the 1981 Guidelines edition (See fn. 2).

Levels of District Participation

Currently, there are no legislative or regulatory standards with respect to the proportion of a district's student body which may enroll in independent study. Consequently, the extent of district participation in full-time independent study varies markedly across-the-state, i.e., from a small fraction of one percent of A.D.A. to more than several percent of A.D.A. Most of these variations appear to reflect district differences in educational philosophy with respect to whether independent study should be encouraged or discouraged, rather than differences in student need. We recommend that the Legislature establish a cap on the maximum percent of a district's average daily attendance which may be realized through full-time independent study. The Department of Education could be authorized to grant exemptions if circumstances in a given area warranted.

The cap on independent study should be set low enough to preclude any excessive use of the program, but high enough to allow the operation of programs which have successfully recruited and re-enrolled youths who had previously "dropped-out" from the traditional educational process. In setting the cap, the Legislature should consider the possibility that the availability of too much independent study may legitimatize a student's disaffection with the traditional school setting and lessen the pressure on regular school staff to hold students in their schools. Students who simply do not "like" school could seek to enroll in independent study and still be "in school", although reporting for only one hour or less weekly. Traditional school staff would know that students who are disaffected--and who are likely to be more "trouble" than the average student--could be served by independent study. It is questionable that this is a signal the system should send to students and staffs if the current emphasis on traditional academic instruction is to be realized.

As a corrollary to the previous recommendation, we recommend that the Legislature repeal the existing prohibition on enrollment in independent study of more than ten percent of the students in a continuation school or an opportunity school or program. This prohibition has led to some confusion since a district's full-time independent study program is sometimes conducted as an adjunct to--or administered by--the continuation schools. Under such circumstances the physical location of the independent study program as part of a continuation school may be construed to control the extent of permissible enrollment, even though some of the students may have been referred to independent study directly from a traditional school. Moreover, the cap on continuation and opportunity enrollments could have the effect of discouraging the use of these programs as alternatives to be tried before independent study; once a student is transferred to a continuation or opportunity education he or she would clearly count against the ten percent limitation if it were subsequently necessary to enroll the student in independent study, unless a district took the step--as some do--of transferring the student to independent study through a traditional school. As noted, a cap on overall district participation is suggested as a substitute for the cap on continuation and opportunity education.

Student Eligibility

The study team found that district practices regarding academic eligibility for the independent study program varied considerably. While some districts establish an academic "floor" for eligibility, other districts do not. The study team found instances of secondary pupils with primary grade basic skills enrolled in full-time independent study. At the present time, no legislative or regulatory standards govern the academic achievement level which students should have as a prerequisite to enrollment in a full-time independent study program. Since the ability to learn "independently"--i.e., with less than normal teacher oversight--would seem to be a function of the cognitive skills which a student has mastered, it would seem appropriate under normal circumstances to declare ineligible those students who had not achieved a skill level acceptable for the grade level for which they were earning credits through independent study.

Nonetheless, the flexible nature of independent study could allow the design of special programs (e.g., intensive tutoring) fitted to the development of basic skills in the student who is behind academically. Under such circumstances, it would be inappropriate to expect any one-to-one match between minimum skill levels and the grade level for which the student was enrolled. Because it is difficult to generalize on a statewide basis, we recommend that each school district having a full-time independent study program review its program to determine if standards should be adopted requiring a student to demonstrate the achievement of minimum skills before enrollment in the program.

The study team found that in some districts the independent study program is used to claim apportionments for adult students enrolled in limited courses of study not aimed at the award of a high school diploma. Such districts apparently turn to this mechanism when they reach the cap which the Legislature has imposed upon district funding for adult education programs. This practice overcomes the legal limit on state funding for adult programs and results in the payment of a revenue limit amount higher than the State pays for adult education classes in other districts--a typical adult revenue limit would be $900, while the regular revenue limit would be more like $2000. It is unclear whether such use of the independent study program is appropriate from a policy standpoint.

Absences

As previously noted, students enrolled in independent studies frequently have a history of truancy. Despite the fact that the students are usually expected to report, at most, only once a week, some independent study programs also experience attendance problems with respect to their scheduled meetings with a District representative. The previously cited guidelines suggest that three "significant performance failures" within 90 days, including failure to keep scheduled appointments, would amount to a "drop".

This guideline, however, only constitutes a suggested rule. There is no enforceable statewide policy on the number of unexcused absences which a student may incur before being dropped from the program, although some districts have established policies on their own. The study team found that many of the independent study programs which were visited had significant absenteeism; teachers were often interviewed during a period when their scheduled student was absent and had not contacted the teacher beforehand. Since successful independent study necessarily involves some measure of self-discipline, it would not seem unreasonable to expect participating students to demonstrate their commitment to this learning approach through meeting their scheduled appointments. Thus, we recommend adoption of legislative or regulatory standards requiring that a student be declared ineligible for full-time independent study if the student exceeds an allowable number of unexcused absences. For example, two absences per term might provide a possible standard. Since students normally are able to reschedule their appointments in the event of bona fide emergencies or illness, there ordinarily would be no acceptable reason for an unannounced absence from the program.

As a corollary to the above recommendation, and also to encourage districts to take measures in support of attendance requirements, we recommend adoption of a legislative or regulatory standard prohibiting the award of retroactive attendance credit for any period in which the student has an unexcused absence, even though the student may subsequently turn in assignments for that period.

The above recommendations, if implemented, would constitute a minor "fine-tuning" of the structural requirements of the independent study program, leaving the basic purposes and philosophies of the program largely unaffected. One larger issue is whether there should be a limit on the extent to which independent study should be allowed to displace formal classroom instruction.

Currently, students who are not able to function adequately in a traditional (or continuation or opportunity setting) are allowed to receive an unlimited number of credits through independent study if they are able to enroll in the program. Currently, it is possible (although not typical) for students to receive a high school diploma through full-time independent study. The philosophy that independent study may completely displace classroom instruction might, however, be somewhat antithetical to the expectations of clients of the secondary educational system (e.g., employers, the general public, some parents). These clients could expect that the award of a diploma signifies an ability to function in a structured situation involving peers (i.e., other students) and institutional authority (e.g., teachers, school administrators) on a regular basis. In view of this possible expectation, the issue arises of whether the credits for independent study should be capped so that the student must also, as a requisite to graduation, demonstrate that a significant portion (perhaps the majority) of the student's education has been acquired through attending schools. Under this alternative, independent study could still be available during periods in which the student was unable to cope with a formal school setting. Independent study, that is, could provide a temporary means of continuing an affiliation with educational institutions, so long as the student at some point prior to graduation demonstrated the ability to function adequately in the conventional educational process through acquisition of a requisite number of credits. In support of this alternative, we note that the Los Angeles Unified School District currently caps allowable credits under independent study at 75. We also note that the capping of allowable credits exists in at least one other "alternative" program, work-experience, although full-time independent study does differ in that it, unlike work-experience, is usually aimed at essentially the same curriculum as offered in a formal school setting.

Arguments may also be made against capping the allowable credits. The primary client of the educational system is its students. For a small proportion of students, unlimited independent study credits may allow attainment of an educational level which otherwise might not be possible. A requirement of attending a formal school setting in order to achieve a certain number of credits could also result in a return to truancy or "dropping out".

Another issue is whether students should be allowed to accelerate their educational program through full-time independent study. Most independent study programs permit students to actually earn more credits in a semester than the students would earn if attending a regular school. This is because most of the programs are operated on a variable credit mode in which completion of a given amount of work results in immediate credit and because the independent study course is more likely to have a basic content and thus be somewhat less demanding than many traditional classes.

A student in a regular school is usually expected to devote a portion of the non-school day to school work--homework--in addition to spending at least twenty hours weekly in class. Assuming that the student accomplishes the independent study assignments in the expected time, full time independent study programs give credit for all hours spent on school, which provides them with a higher level of pay (credits) for the work than the regular student. A student who can work faster than the established independent study work/credit norms can get even more credits in the event the norms have not been adjusted to account for the quicker learning ability. Very able high school students could probably complete the independent study curriculum and receive a high school diploma in a fraction of the three or four years required in the regular system. Should they be allowed or even encouraged to do so? We recommend the adoption of legislative or regulatory standards establishing a maximum number of credits which may be earned in independent study during any school year. However, there should be some degree of flexibility allowed for special circumstances.

CHAPTER III

REGIONAL OCCUPATION CENTERS/PROGRAMS

The purpose of Regional Occupation Centers and Programs (ROC/Ps) is to provide occupational training to high school age students and adults. A Regional Occupation Center (ROC) provides its regular instruction at a centralized site; a Regional Occupation Program (ROP) provides training at a variety of de-centralized sites, often including high school campuses and private companies.

ROC/Ps may be operated by a county, through a joint powers agreement of participating school districts, or, in some specified circumstances relating to the size of a school district, by a single school district.

In conjunction with advisory councils and other agencies, the entities sponsoring an ROC/P are required to conduct a job market survey verifying labor market demand for any proposed courses. The proposed curriculum is subject to approval by the Department of Education.

ROC/Ps receive A.D.A. reimbursement independent of that received by school districts, even when the ROC/P student is also a high school student. A ROC/P receives a revenue limit apportionment for each 525 hours of attendance, equivalent to a student attending three hours daily for 175 days. While ROCs have a minimum day of three (3) hours, ROPs may claim apportionment credit for any attendance of at least sixty (60) minutes and, in fact, ROPs often have programs of less than three hours in order to accommodate high school student schedules. Both ROPs and ROCs receive additional funding for a student who attends longer than three hours; a student who attends for six hours daily would generate two revenue limits for the ROP/C. This is unlike apportionments to school districts--in which a school receives the same revenue limit amount for a student who attends for four, five or six or more hours daily.

A variety of issues exist with respect to ROC/Ps.

Course Selection and Approval

There is substantial variation throughout the State in terms of what publicly funded occupational training is available and, when it is available, which segment--or segments--of the State's training "community" offers training in the particular disciplines. Publicly funded occupational and vocational training is currently provided not only by ROC/Ps but also by the regular K-12 system, adult education, community colleges, private postsecondary institutions (e.g., on contract with ROC/Ps), and other training and apprenticeship programs.

ROC/Ps each have a unique mixture of training programs available to residents of their areas. A citizen who resides within the boundaries of one ROP/C may not be able to receive training in a desired occupation even though his or her tax dollars are being used to support the training programs in other areas of the State. The variation in ROC/P offerings seems to be particularly questionable when private schools are involved. Some ROC/Ps provide what are, in effect, publicly funded scholarships for some types of training. A citizen's ability to receive such a "scholarship"--which is directly funded by the State--is determined by local practice. This is not true in the case of scholarship programs administered and funded by the State, and seems to treat the State's citizen-learners inequitably. While the State system of higher education (U.C. and C.S.U.C.) may not offer every academic program in every area of the State, this difference is mitigated by the fact that admissions and financial aid are intended to treat all citizens of the State equitably.

Of course, some variation in ROC/P curriculums may be due to the lack of clear definition in regard to which "segments" are to offer what types of training; there may be a need to improve long-range planning and coordinating responsibilities in this area. Some additional variation in ROC/P curriculums would be appropriate because of geographical differences in labor market demand. To a significant degree, however, the current variations appear to be a function of a relatively "ad hoc" course creation process.

An ROC/P is required to conduct a job market survey before seeking State approval to offer a new course. While these surveys may correctly determine that there will be "adequate" placement of persons in the proposed course, the surveys do not typically consider the relative position of the proposed course versus other potential training programs in satisfying unmet occupational training needs. In contrast to focusing upon the demand for one course, a comprehensive job market analysis might find an occupation with "adequate" employment demand actually ranked first, tenth, fiftieth or anywhere in a ranking of the range of vocational occupations in the area. It appears that relative unmet training needs of all occupational areas for which training might be offered (consistent with staff availability and ROC/P objectives)--as opposed to the adequacy of market demand for a single course--should be given greater weight in the course selection process. The California Occupational Information Coordinating Committee's publication, How to Develop and use Labor Market Information in Local Occupational Program Planning (December, 1982), provides sources for such information and suggests a planning sequence in which the overall labor market assessment is conducted before a survey of potential employers relative to the adequacy of market demand vis-a-vis enrollment for a proposed course.

Approved Course Hours

Another problem concerns the number of hours which the State Department of Education approves for each course offered by an ROC/P. Unlike the situation in a high school where a student may have to repeat a course in order to satisfactorily meet its requirements, and the District can continue to receive A.D.A. credit for such attendance, the State has an explicit policy of analyzing the course content of ROC/P courses submitted for approval and determining the maximum number of instructional hours for which a student can be enrolled in the course. However, students who have not completed the approved course content in the time specified in the course approval process are sometimes permitted to re-enroll in the course and can "start over" in generating State paid attendance hours. While this is similar to simply repeating part or all of a course, the intent of the limit on approved course hours is thus overcome and additional State expense is incurred. Therefore, we recommend that the Department of Education instruct ROC/Ps that A.D.A. may not be claimed for a student's attendance beyond the approved course hours.

Community Classrooms

In addition to providing instruction at their own locations, the ROPs frequently offer students the opportunity to participate in "community classrooms". In effect, a community classroom is a work-site operated by a public or private employer. Students at the work-site receive on-the-job training, without compensation, in accordance with the terms of an agreement reached between the ROP and the site operator.[2]

In the event an ROP instructor is not assigned to the work-site full-time, current regulations require that the ROP certificated instructor meet with each student at least once every ten hours for the purpose of instruction, counseling and evaluation. Frequently, regular ROC/P classroom instruction is also given for several weeks at the outset of the term, before enrollment in the community classroom for the remainder of the term.

Sections 10090 through 10092 of Title V of the California Administrative Code authorize community classrooms. The statutory authority for these regulations is unclear and probably non-existent.

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[2] Title V of the California Administrative Code requires that compensation be given once the student has mastered the job skills sufficient to perform the job. ROPs generally transfer a student out of the community classroom program once this occurs. In some instances the student may be transferred into a cooperative vocational education program which permits the award of compensation while earning credits.

The Administrative Code also indicates that the public school is usually considered the "employer" of a student in a community classroom for purposes of Division 4 of the Labor Code.

As noted in one legislative briefing paper:

> Statutes governing ROC/Ps do not specifically authorize community classrooms. OAL (Office of Administrative Law) staff considered moving to repeal current regulations, but have deferred action, because they have been informed by staff of the Department of Finance that the regulations are required for distribution of apportionment money.
>
> SDE (State Department of Education) staff are seeking to clarify the statutory authority for community classroom programs.

AB 3460 is currently before the 1984 Legislature and would provide specific statutory authority for community classroom education. In the event the Legislature does not provide specific statutory authority, it is very questionable whether any funds should be apportioned for ADA generated by community classroom programs.

> (Editor's Note: Since preparation of this report, AB 3460 has been enacted as Chapter 1706, Statutes of 1984, and provides the necessary statutory authority for community classrooms.)

In deciding whether community classrooms should be continued, the Department of Education and the Legislature may also wish to consider certain issues relative to the program's structure.

One issue concerns the degree of instructional supervision provided students in those community classrooms in which an ROP instructor is not assigned on a full-time basis. (Small community classrooms having only one or a few students would generally not have a full-time ROP instructor.) Specifically, the Education Code requires high school students, with certain exceptions other than community classrooms, to be under the "immediate supervision and control" of a certificated teacher and defines such supervision and control as "...an absence of an intermediary between the certificated instructor and the student" as opposed to "physical immediacy". While the current regulations extend this requirement to community classrooms, in practice it is unclear whether the public or private operator (e.g., a business) of the community classroom does in fact constitute an intermediary between the ROP instructor and the student during the period when the student is at the community site and the ROP instructor is not present. Application of the concept of "immediate supervision and control" to the community classroom concept may need clarification.

In support of current practice, it should be noted that the use of community sites without close supervision is an established part of the traditional work-experience program offered by comprehensive and continuation high schools. It should also be noted that the requirement for meeting with a student at least every ten hours is consistent with the weekly instructional requirement for work-experience students recently established in SB 813 (Chapter 498, Statutes of 1983). In the event the Department and the Legislature are satisfied with the current structure of the program, some mechanism should probably be established relative to monitoring application of the periodic meeting requirement.

> (Editor's Note: AB 3460 was enacted as Chapter 1706, Statutes of 1984, and defines "immediate supervision" for community classrooms and cooperative vocational education as:
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> > pupil participation in paid and unpaid on-the-job experiences as outlined under a training agreement and individualized training plans wherein the supervisor of the training site and certificated school personnel share the responsibility for the supervision of on-the-job experiences.)

Another area for evaluation concerns the similarity between the community classroom program and the traditional work experience education provided through the high schools. Both are oriented to on-the-job experience, although the following distinctions exist:

- Community classroom students are not compensated, whereas general and vocational (but not exploratory) work experience students are compensated.
- The community classrooms may involve a heavier instructional component at a regular classroom during the initial part of the term. Some courses may involve three to six weeks of reqular instruction before movement to a community classroom.
- The ROC/P community classrooms may more frequently (but not necessarily always) be directed at a higher or more technical level of experience.

In view of the basic similarities beween work experience and community classroom education, however, the question arises of whether legislative or regulatory standards should be adopted which clearly define program differences and when it is appropriate to enroll a high school student in one or the other of the programs. Such definitional standards should be considered in view of the fact that the financial consequences to the State differ depending on which program is used for a high school student's on-the-job experience. A work experience program may effectively generate up to one-quarter of a unit of A.D.A. by reducing the minimum day from 240 minutes to 180 minutes, while a community classroom may generate up to one full unit of A.D.A. (i.e., three hours a day of attendance credit) at an R.O.P.

In view of the basic similarily in the programs, moreover, the question also arises of whether the ROP community classroom and the work experience program should be considered as interchangeable insofar as they may count toward meeting high school graduation requirements. Title V of the Administrative Code specifies that a student may receive a maximum of forty (40) credits from all types of work experience combined. No such limit exists in regard to community classrooms. One alternative would be to recast the regulatory standard to provide for a maximum number of credits from a combination of work experience and ROP community classroom instruction. While SB 813's increase in required courses commencing with 1985-86 may reduce available elective credits and thus minimize the possibility of disproportionate use of work experience and community classrooms together, at least if a district does not raise its credit requirements for graduation, a combined credit cap for the programs might still be useful to help develop consistency in State policy toward the alternative programs.

A final related issue is the practice used by some school districts of utilizing the community classroom model for a portion of the school day of students enrolled in regular K-12 vocational and industrial arts programs. Students in this situation would usually be enrolled in a vocational course for more than one class period daily, but for one or more days each week are assigned to a work site instead of the school classroom. This practice also appears to have no legal basis and should also be discontinued in the event statutory authority for community classroom education is not enacted. The issue of "immediate supervision and control" which exists with respect to ROP community classrooms is also present for high school community classrooms.

Cooperative Vocational Education

Federal and State law authorize high schools and ROPs to offer courses in cooperative vocational education. This program provides on-the-job occupational training and experience for compensation (by the site operator).

The cooperative vocational education program is very limited in high schools, in part because it does not provide an exemption to the 240 minute minimum day, and hence does not generate any regular State apportionments. High schools instead emphasize the vocational work experience program for specialized vocational training. Vocational work experience may effectively generate up to one-quarter of a unit of A.D.A. by reducing the minimum day from 240 minutes to 180 minutes. (In different terms, 60 minutes of the 240 minutes may be vocational work-experience.)

In contrast, the cooperative vocational education program is used extensively at ROPs. It may generate up to three hours a day in attendance credit (i.e., one unit of A.D.A.).

At ROPs, qualified students may enroll in the program directly or may be transferred to the program from a community classroom when they have achieved sufficient skills to perform productively. In effect, the cooperative vocational education program appears to be the ROP version of the vocational work experience program used by high schools.

There is an expectation that formal vocational instruction will be coupled with the on-the-job training in both vocational work experience and cooperative vocational education. The vocational work experience is supposed to be related to a student's high school vocational courses. Similarly, the cooperative vocational education program is expected to have a formal instructional component. In some courses, related instruction may involve as much as twenty (20) to thirty-three (33) percent of total course time.

As previously noted, the financial consequences to the State may differ depending on which program is used for a high school student's specialized, on-the-job training. To recap, vocational work experience may, at most, generate one-quarter of a unit of A.D.A. for a high school, while the cooperative vocational education program may generate up to one full unit of A.D.A. for an ROP. In view of the fiscal implications, we recommend the adoption of legislative or regulatory standards specifying when it is appropriate to enroll a high school student in cooperative vocational education as opposed to vocational work experience.

> (Editor's Note: Since preparation of this report, AB 3460 has been enacted as Chapter 1706, Statutes of 1984. This legislation requires the Superintendent of Public Instruction to "... adopt rules and regulations for cooperative vocational education programs and community classrooms." Although not specifically required by the legislation, the development of such rules would provide a convenient opportunity for the Department to specify when it would be appropriate to enroll a high school student in cooperative vocational education as opposed to vocational work experience.)

* * * *

The similarity between vocational work experience and cooperative vocational education raises the issue of whether the programs should be viewed as interchangeable insofar as they may count toward meeting high school graduation requirements. Just as with community classrooms, one alternative would be to develop a statutory standard providing for a maximum number of credits from a combination of the work experience and cooperative vocational education programs.

Contracts With Private Post-Secondary Institutions

ROC/Ps may provide training through contracts with private post-secondary institutions. The impetus for such contracted training is that the private, post-secondary institution has already established a training facility and curriculum and direct ROC/P training would constitute unnecessary duplication. Cosmetology courses are one of the most frequently contracted.

The financial reimbursement to the private institution is negotiated with the ROC/P (e.g., on a cost per student hour basis). It is usually the case that the State A.D.A. reimbursement to the ROC/P exceeds the ROC/P reimbursement to the private institution, particularly in the cosmetology area. The ROC/P is thus able, in a sense, to make a "profit" on some contracted courses. ROC/P personnel point out that this situation is appropriate in order to fund high-cost courses for which the State A.D.A. reimbursement is insufficient. They also point out that profit-making with contracted courses is no different from the situation in the courses administered directly by the ROC/P. That is, a typical curriculum consists of a mix of high-cost and low-cost courses; excess State funding generated by the low cost courses is essential to the continued existence of the high cost courses.

Granting the above, a potential problem may still exist with the contracting arrangement. Specifically, the profit-making aspect of contracting may provide an incentive for renewal of the contracts regardless of whether the market demand and/or placement is sufficient.

One alternative is for the State to provide reimbursement based on actual contract costs, plus a percentage sufficient to cover expenses related to enrollment, counseling, contract monitoring and other expenses. Since this approach would complicate the State reimbursement mechanism, and also overlook the fact that the excess reimbursements may be necessary to fund high cost courses, it might be better to simply subject the contracted courses to a special, in-depth periodic State review of market demand and placement success. (Consistent with the example previously used, it should be noted that some cosmetology courses have high placement rates).

The Department's reviews of ROC/P courses tend to focus primarily on courses which an ROC/P proposes to establish, amend, or enlarge. In addition, Title V of the Administrative Code requires the periodic review of established courses. We recommend that the Department's periodic review of established courses involve particular emphasis upon the market demand and placement success of courses on contract with private post-secondary institutions. The placement record of a course could be used as a criterion for continued course approval under the theory that a satisfactory level of placements is necessary to verify the existence of labor market demand.

Upgrading

In addition to occupational entry-level training, ROC/Ps sometimes provide advanced training which has the effect of upgrading the skills of a company's or public institution's employees. Such upgrading of skills through ROC/P training is authorized by statute.

Inasmuch as the company or public institution, as well as an employee, is a primary beneficiary of the training, the issue exists of whether the company or public institution should be expected to provide reimbursement for some or all of the ROC/P (and State) expenses associated with the training. This issue exists because such training may relieve employers of some training expenses which they would otherwise incur, and thus may constitute a subsidy to the employer.

The feasibility of establishing employer fees and the precise circumstances under which they might be appropriate are topics in need of further review. Such review would probably have to focus not only upon ROC/Ps but also upon other public institutions which offer training designed to upgrade occupational skills. No recommendation is offered.

Supplantation

Section 11502 of Title V of the California Administrative Code prohibits an ROC/P or other local education agency from supplanting the course offerings of another agency. According to Section 11502:

> "Supplanting" occurs when a course, class, or a section has been dropped by a school unit, and is replaced by another educational agency, including a Regional Occupation Center or Regional Occupation Program, without material revision of the curriculum, student population served, and/or projected course outcomes.

In most areas of the ROC/P curriculum, the issue of supplantation does not arise with respect to high school offerings; the issue is usually not germane simply because most ROC/P offerings are in subjects which are not, and have not been, available in high school curriculums. However, in other areas such as auto shop, wood shop and some types of business education (e.g., business machines) the issue is pertinent.

To be sure, our field work did not reveal clear instances of supplantation, at least as it currently defined by the Administrative Code. It appears that the ROC/P courses in subjects previously taught at the high schools involved a ". . material revision of the curriculum, student population served and/or projected course outcomes." Specifically, it appears that some high school courses have been terminated, and then subsequently absorbed--sometimes after a lapse of a year or more--into a revised ROC/P course which may be broader in scope and longer in duration. The new ROC/P courses would also be more likely than their high school predecessors to serve students at other high schools and/or other districts.

Indicative of some shift of training responsibilities is the fact that the ROPs frequently employ regular high school vocational education instructors through a part-time contract with the school district; that is, a full-time high school teacher will teach district courses on a part-time basis and ROP courses on a part-time basis. (Districts have also indicated that a general decline in student interest in traditional vocational education offerings may account for the availability to ROPs of high school vocational education instructors. Reduction in elective offerings because of reduced school days may also partially explain this phenomenon.)

While the high school course displacement which has occurred generally appears to be permissible under the Administrative Code, it still has some fiscal significance. Specifically, ROC/P course offerings may generate A.D.A. apportionments to the ROC/Ps without any corresponding reduction in high school apportionments for any terminated courses which were taken by students having a load heavier than the four hour minimum day. Indeed, the stability of the high school apportionments is further secured in cases where the district has declared that attendance at an ROC/P involves travel hardship, since the minimum day at the high school for ROC/P students is reduced from four to three hours.

It is possible that State financial interests might be better protected by circumscribing the authorization for new ROC/P courses when there is a " . . . material revision of the curriculum, student population served, and/or projected course outcomes." Instead, would it not be possible to require that new ROC/P offerings be built upon, and coordinated with, the course offerings of a local education agency which are in the same subject as the proposed ROC/P course?[3] This approach would appear to be compatible with current policy. In its operational guidelines, one ROP requires that "if at all possible, beginning district programs that feed ROP programs should remain in operation." Furthermore, the Administrative code suggests that ROC/P courses should ". . . become an extension or augmentation of vocational education opportunities and enrollments in the participating districts".

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[3] Such an approach would probably have to be coupled with a requirement for re-establishment of any recently terminated courses in the involved subject.

A requirement to build upon and coordinate with the course offerings of a local education agency, in the same subject as a proposed ROC/P course, would change current practice in that: (a) curriculum revisions or the enlargement of the available student population would not, in themselves, be sufficient to nullify the supplantation issue; and (b) the high school course which provides the foundation for the ROC/P course would probably have to be open to other districts on an inter-agency agreement if comparable offerings were not available.

On the other hand, the requirement to build upon high school courses, as a condition to establishment of an ROC/P course in the same subject, could impact the quality of the ROC/P course offerings if the involved schools were not willing to make adjustments to meet ROC/P needs. The issue is also complicated for ROC/P courses which mix the enrollments of adults and high school students since the foundation high school courses would not be open to the adults.

The establishment of workable supplantation regulations which insure quality education while fully protecting the State financial interests is a difficult task. We recommend that the Department of Education, in cooperation with representatives of the Regional Occupation Centers and Programs, review the current requirements against supplantation to determine if further controls are feasible.

CHAPTER IV

WORK EXPERIENCE

Previously, this report discussed the similarity of work-experience and ROC/P community classrooms and the cooperative vocational education program. Because of the fiscal implications, the report also discussed the need for further definition of when it is appropriate for a student to receive compensable training through the ROC/P cooperative vocational education program, as opposed to a work-experience program at a traditional or continuation school. Field work also revealed two other issues with respect to the work-experience program: first, the workload of the work-experience coordinators and, second, implementation of the SB 813 (Chapter 498, Statute of 1983) requirement for one-hour a week of related instruction or counseling.

Section 46300 of the Education Code specifies that a maximum of 125 students may be assigned to a full-time work-experience coordinator. This coordinator-pupil ratio of one FTE to 125 is roughly comparable to having a regular teacher instruct five classes per day with an enrollment of 25 students each.

Our field work revealed that the position of work-experience coordinator may be expected to fulfill other responsibilities, e.g., counseling non work-experience students, operating a career development center, serving as an ROP coordinator, teaching academic classes, etc. The part-time nature of some coordinator's work-experience responsibilities has sometimes been overlooked in applying the ratio of one FTE to 125 pupils. In some instances, a coordinator may be assigned 125 or fewer students, but the ratio is nevertheless abridged because too many students are assigned for the fractional FTE equivalent. In some other instances, more than 125 students were assigned to a coordinator even though the coordinator's work-experience responsibilities were part-time. While the existing legislative standard is clear, there appears to be a need for greater State level compliance oversight. Therefore, we recommend that the Department of Education develop an enforcement methodology for fostering strict school district compliance with the established coordinator-pupil ratio for the work-experience program.

Section 76 of SB 813 (Chapter 498, Statue of 1983) requires that "...the attendance of pupils enrolled in a work experience education program...shall not be counted for purposes of apportionments unless the work experience education program includes at least one hour per week of classroom instruction or counseling." Our field work revealed that some districts are not providing one hour per week of instruction or counseling, but are instead continuing the pre-SB 813 practice of having infrequent classroom meetings or counseling sessions coupled with homework assignments. Apparently, the districts which require a minimum four hour day in addition to work experience do not believe that work experience is ". . . counted for purposes of apportionments" and, therefore, is exempt from the requirement of "at least one hour per week of classroom instruction or counseling."

However, it is not clear that the requirement for one hour a week of instruction/counseling applies only to those programs in which the work experience course is necessary for a unit of A.D.A. Since apportionments are reimbursements for the entire educational day, rather than just the first four hours, it would appear that the work experience beyond four hours could be viewed as counted for apportionment purposes. AB 3331 is currently before the 1984 California Legislature and, if enacted, would clarify the situation by requiring "the equivalent of one period per week of classroom instruction or counseling"[4] for work experience involving the award of school credits.

(Editor's Note: Since preparation of this report, AB 3331 was enacted as Chapter 1024, Statutes of 1984.)

The experience of the study team in the field also indicates that there may be reason to question the work experience program as it is presently constituted. When interviewing work experience coordinators--who often also issued the regular work-permits needed by students to work in any paid employment--it was usually clear that many, if not most, of the students employed for pay in a given school were not participating in the general work experience program. Given the minimal nature of the related instruction which is provided to general work-experience students and the fact that non-work-experience students also receive on-the-job training, the rationale for the provision of State funds and academic credit for some of the State's working students--but not for others--is unclear. Accordingly, we recommend that the Department of Education study the role of work-experience programs in the reformed secondary school system which is emerging from both current and proposed revitalization efforts and that, if appropriate, changes be proposed. In doing such a study, however, it should be kept in mind that the configuration of the work experience program coincides with State financial interests to a greater extent than the ROC/P community classroom and cooperative vocational education programs. In those instances where a work experience may be acquired through any of the three programs, the work experience program appears to cost the State less for reasons previously discussed.

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[4] Emphasis added.

CHAPTER V

CONTINUATION SCHOOLS

Continuation education began in California in 1919, "...when it was established as part-time schooling for young people who left the full-time school to help support themselves and their families."[5] Since that time, however, the clientele of the program has changed to serve other types of students; as noted by the Department of Education, "...because of the growth of welfare and Social Security programs, few young people now leave school from economic necessity."[6] California has roughly 419 continuation high schools which had a cumulative enrollment of approximately 103,000 students in 1982-83.

The program is now designed to educate pupils, from 16 to 18 years of age, who, for whatever reason, are having difficulty in coping with the traditional high school. Frequently, continuation students have been chronically truant, have already "dropped-out" from the comprehensive schools, or have displayed discipline or behavioral problems. Students are also referred to continuation schools because they are simply in need of more individualized instruction in order to make academic progress, or because they prefer to attend a smaller school with its less impersonal environment.

To a large degree the type of student in a continuation school is a function of the comprehensive schools from which the students are referred. As a result, the reasons for referring students to continuation schools vary in relative frequency throughout the State. Some continuation schools, for example, may have a higher proportion than other schools of students with discipline or behavior problems. Similarly, the extent to which enrollment in a continuation school is "involuntary" (i.e., required by the district) as opposed to "voluntary" (i.e., initiated or requested by the student or parents, or at least voluntarily accepted after district encouragement) will vary significantly across districts. In some continuation schools, a high proportion of placements are involuntary, while others are almost exclusively voluntary. Other factors which affect the types of students and reasons for referral to continuation schools include the availability of other alternatives to regular secondary schools, such as independent study and community schools.

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[5] California State Department of Education, Handbook on Continuation Education in California, (Sacramento, 1973), p. 1.

[6] Ibid.

Despite such differences in District usage of continuation education, the schools usually have many common features. Continuation schools are typically small in comparison to comprehensive high schools, with enrollments that usually range from less than 100 students to no more than a few hundred. The smaller size of a continuation school offers a student a greater opportunity to become involved with the school, and reduces the impersonality of the educational process.

The Education code mandates that the schools offer intense counseling services, apparently because of the need for guidance by students who have had difficulty in succeeding in traditional schools. Moreover, continuation schools often have strict codes of discipline which emphasize clearly delineated consequences for specific infractions.

Continuation schools are geared to the concept of individualized instruction under which each student is encouraged to learn at his or her own pace. Because of this individualization, continuation schools usually have much smaller class sizes than do traditional sites. However, exceptions to the smallness of class size do exist in some places.

The curriculum of a continuation school is usually designed to offer the same basic required courses as a conventional site, (although far fewer electives are generally available) inasmuch as graduation requirements (other than the number of credits) are usually the same district-wide. The curriculum emphasizes basic skills courses. Although some schools do graduate college bound students, the study team heard very few reports of students attending the State's selective public or private colleges and universities.

Students at continuation schools must normally attend a minimum of fifteen hours a week (or an average of three hours a day).[7] Some of the schools extend the opportunity for additional attendance beyond three hours to motivated students.

It is also not uncommon to operate the schools in two shifts--morning and afternoon. Under such double-shifting, a continuation teacher may be expected to carry essentially the same teaching load as his or her colleagues at a traditional site. Despite the 15 hour minimum weekly attendance requirements, attendance remains a problem at some (although not all) continuation schools. To some degree, of course, a continuation school's attendance record will be affected by the type of student referred to it by the regular schools. The attendance record may also be affected by the school's own willingness to drop students for non-attendance or its willingness to use other available programs--such as independent study, adult education and community schools for students exhibiting attendance problems.

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[7] However, the Los Angeles Unified School District requires attendance at continuation schools for four hours a day.

Continuation schools may offer their own diplomas, and the credit requirements may be either the same or less than at the traditional schools. However, some continuation schools graduate their students with diplomas from their district's comprehensive high schools.

The extent to which continuation schools graduate their students varies. It is not uncommon for students to reach 18 and then transfer to an adult school in the attempt to acquire enough credits for a diploma. Realistically, it is very difficult for a student who has encountered difficulty in school in, say, the tenth grade and who earned few or no credits in that year, to "get back on track" and graduate with his or her class using any of the options available in regular or alternative educational programs. Many of the school personnel with whom the study team spoke indicated that once a student fell substantially behind their expected accumulation of credits towards the diploma, that it was unusual for students to catch up. This situation is exacerbated by a common desire among students not to remain in school after "their" class has graduated and/or the fact that some schools discourage students over 18 years of age from beginning a new school year, referring them to adult education programs.

Meeting Graduation Requirements

As noted, continuation schools are often operated on a shorter instructional day than the comprehensive high-school. This shorter day holds the potential for interfering with a student's opportunity to amass enough credits for graduation, especially since the student is often behind in credits when transferred to a continuation school. As a result, school districts have employed several alternatives to enhance graduation prospects for continuation pupils.

*As a corollary to the individualized, self-paced learning associated with continuation schools, many schools offer the students the opportunity to acquire more credits than would normally be the case with an equivalent amount of seat-time, if the students are, in fact, able to complete the required work for such additional credits. This alternative works best for the achievement oriented student.

*Some districts have set lower credit graduation requirements for continuation schools than for comprehensive schools.

*The same number of subjects may be offered in a three-hour day as in the four-hour minimum day at the comprehensive school. In this situation less time can be spent on each subject.

*Some continuation schools, particularly in the Los Angeles area, operate on a four hour minimum schedule rather than the required average minimum of three hours. However, the double-shift continuation schools in particular argue that switching to a four-hour schedule would be infeasible for staffing reasons. It should also be noted that even a four hour day is simply the bare minimum required by State law for regular secondary schools, and that it is less than that offered by many comprehensive schools.

Although precise comparative statistics are not available, it appears that continuation schools may average substantially lower graduation rates than comprehensive schools. The continuation schools experience an average graduation rate of about ten (10) to eleven (11) percent of their total cumulative enrollment each year. Of course, one can argue that since the continuation schools enroll students who have demonstrated themselves to be "at risk" in a school setting, a lower graduation rate is to be expected. The opportunity for graduation for students enrolled in continuation schools, however, may become even less likely in the future. Specifically, we note that SB 813 (Chapter 498, Statutes of 1983) offers financial incentives for longer instructional days at the comprehensive schools and, as a result, district-wide credit requirements for a diploma may be expected to increase in some districts. Thus, a situation could result in which increased graduation requirements are increasingly difficult to meet at continuation schools with their shorter school-day and reduced course availability. We recommend that the Department of Education develop a proposed State policy, including any necessary proposals for structural reform, which is aimed at insuring graduation opportunities within continuation schools in the face of possible district increases in graduation requirements.

Use Of The Work-Experience Program

Approximately fifteen (15) to sixteen (16) percent of continuation students are enrolled in a work-experience program.

The State's compulsory attendance law requires minimum attendance at a continuation school (or, under some circumstances, an adult school) for only four hours a week.[8] While the continuation schools which were visited usually did not have large numbers of students attending under this provision per se,[9] a not atypical pattern is for students to attend classroom instruction for five hours a week, and to receive attendance credit equal to ten hours a week from work-experience for students employed on a full-time basis.[10] This combination of classroom instruction and work-experience is viewed as meeting the fifteen hour a week requirement for a unit of average daily attendance and full State funding. This combination is also viewed as analogous to the situation at the traditional school site in which a student can receive up to ten credits a semester for work-experience beyond the fifteen (15) hours (i.e., 180 minutes a day) minimum week at the traditional school site for work-experience students. (Although the State allows a 180 minute minumum day for students enrolled in work experience programs, many school districts do not, requiring a four hour or even longer minimum day on campus.) Specifically, it is argued that in continuation schools the student is receiving ten (10) hours a week attendance credit beyond the weekly minimum requirement of four (4) hours of attendance.

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[8] The minimum four hour a week requirement may also be met through attendance at an ROC/P. In practice, the four hour a week minimum is infrequently applied and then only to students who work full-time.

[9] The Los Angeles Unified School District previously had a special four hour weekly program which was eliminated because of budget realignments.

[10] This practice is not uniform. Sometimes work-experience is used as a supplement to a minimum of fifteen hours of attendance per week.

What this interpretation overlooks, however, is the disproportionate impact of the work-experience program upon: (a) a unit of A.D.A. and (b) the extent of classroom instruction. At a comprehensive high school, the work-experience program any count for a maximum of twenty-five percent of the minimum day, i.e., the regular four hour minimum day is reduced by one hour. At a continuation high school, the work-experience program may count for up to two-thirds of the minimum week (i.e., ten hours of the minimum fifteen hour week). This practice appears questionable inasmuch as the work-experience program would normally involve a commitment of less resources than classroom instruction when the students are receiving the equivalent of ten hours (rather than five hours) of credit. Furthermore, this use of the work-experience program seems to legitimatize minimum attendance. The Department should probably attempt to determine if it would be feasible for the involved students to make more than five hours a week of classroom instruction. Would the involved students be willing to attend more if the alternative were to receive, say, only five hours per week of attendance credit from work-experience or attend a four hour a week program without work experience credit? We recommend that the Department of Education review the role of the work-experience program in continuation education with a view to developing alternatives for minimizing its impact upon classroom instruction.

The above discussion focused on the use of the work-experience program for students working on a full-time basis. Our field work also suggested the possibility that the same mix of classroom instruction and work-experience may be used in some cases for students employed on a part-time basis. The Department of Education should verify whether this situation is occurring, perhaps in conjuction with greater compliance oversight of the student-coordinator ratios (as discussed previously). Any such use of the work-experience program for students employed on a part-time basis should be discontinued; the current statutes appear to contemplate the dilution of the continuation school minimum week only for students who are working on a full-time basis.

CHAPTER VI

OPPORTUNITY SCHOOLS AND PROGRAMS

Opportunity schools, classes or programs may be operated at the elementary, junior high or intermediate, and high school levels. Most of the schools and programs operate from the 7th through 9th or 10th grade level, and thus serve students who are ineligible for continuation schools because they are under sixteen years of age.

Students enrolled in separate opportunity schools (or opportunity classes at a regular school) must attend for at least a minimum three hour day. Students enrolled in special opportunity programs at regular school sites must attend from one hour a day up to a maximum of 179 minutes a day, so long as the students attend school, in total, for the minimum day applicable to their grade level.

The schools, classes and programs operate in a manner similar to continuation education, with an emphasis on small class size, and individualized, self-paced instruction and guidance. However, opportunity schools, classes and programs at the intermediate or junior high levels tend to have somewhat more of a rehabilitative emphasis than continuation high schools. That is, the schools, classes and programs place greater emphasis upon returning students to the traditional school program.

At the high school level, the distinction between opportunity schools and continuation schools is unclear. Staff of one district indicated that, historically, the opportunity high schools had received the more "severe" students. That is, truants were more likely to have been referred to continuation schools and students with discipline problems to opportunity schools. However, it is apparent that the distinction had broken down in recent years and both types of schools now regularly accept truants, students with discipline problems, and others having difficulty coping with the traditional school environment. While the issue is largely one of generic classification, it would seem appropriate for the Department of Education to attempt to provide greater clarification with respect to the distinction between opportunity schools and continuation schools at the high school level.

Other issues with respect to opportunity education concern the incentive funding within SB 813 (Chapter 498, Statutes of 1983). Article 2.3 of SB 813 provides:

> beginning with the 1984-85 fiscal year...the Superintendent of Public Instruction shall...allocate to each school district which is eligible...an amount not to exceed four hundred dollars ($400) per pupil for each additional pupil enrolled in the opportunity classes or programs maintained by the district for grades 7 to 9...

Under this provision, the same incentive funding of $400 per pupil is provided for increasing enrollment in an opportunity program, which may operate for as little as one hour a day, as for an opportunity school (or opportunity class within a school) which must provide instruction for a minimum of three hours a day. To the extent that opportunity programs, classes and schools might be more expensive than traditional education because of the smaller class sizes, it would seem that the full-time schools or classes would be more expensive than the part-time programs. Although eligible districts must demonstrate that costs of $400 per pupil above regular state A.D.A. reimbursements are actually incurred from expanding opportunity education, it nevertheless seems questionable to offer the same level of incentive funding for operations of different magnitude.

A second potential problem with the incentive funding mechanism results from tying the funding to increased enrollment rather than attendance. Junior high and intermediate school pupils referred to opportunity education typically have had a history of attendance problems. The consequence of this situation is that "enrollment" could be increased without a corresponding increase in regular attendance.

One alternative would be to base the incentive funding upon an increase in average daily attendance. This approach would not only encourage districts to take steps to insure that new enrollees attended regularly and thus received the benefits of opportunity education, but would also reward districts for correcting attendance problems associated with the current level of opportunity enrollments.

(Editor's Note: Subsequent to the preparation of this report, the 1984-85 Budget Act was passed and requires that incentive funding for opportunity education be tied to increases in average daily attendance.)

CHAPTER VII

COMMUNITY SCHOOLS

Community schools have been established by the County Boards of Education in several counties. Section 1981 of the Education Code authorizes the schools to enroll:

> (a) Pupils who have been expelled from a school while attending either continuation classes, opportunity classes, or alternative classes.
> (b) Pupils who have been referred to county community schools by a school district as a result of the recommendation by a school attendance review board.
> (c) Pupils who are court wards or on probation from juvenile halls or camps who are not in attendance in any school and who are referred by any court.

Community schools are similar to continuation and opportunity schools in that they emphasize individualized, self-paced instruction. The physical settings and enrollments of the schools are usually even smaller than in continuation schools. Unlike continuation and opportunity schools, however, community schools are required to operate under a minimum four hour day.

A clear and precise distinction does not exist between the types of students served by community schools versus continuation schools or opportunity schools. However, while continuation and opportunity schools would generally enroll some students with discipline problems, it appears that community schools would generally enroll a larger proportion of such students. The students may have been recently released from juvenile hall or placed on formal probation. Community schools also frequently enroll "group home" students who are wards of the court.

At some community school sites, a full-time or part-time probation officer is available to work with the students. Because of the intensity of supervision sometimes available at a community school, placement at the school may offer the judicial system an alternative to placing a youth in formal incarceration at a juvenile hall.

Subdivisions (a) and (b) of Section 1981 authorize the community schools to enroll expulsions or referrals from school districts. Most of the schools visited during this study, however, almost exclusively enrolled wards of the court or those on probation under subdivision (c).

Two types of students may be enrolled under subdivision (c) of Section 1981. The first type of student is one who is on probation or has been adjudicated a ward of court under Section 602 of the Welfare and Institutions Code. These youths have violated a State or Federal law or local ordinance defining a crime.

The second type of student is one who has been declared a ward of the court under Section 601 of the Welfare and Institutions Code. These youths are wards of the court because it has been determined they have committed a "status" offense--e.g., chronic truancy, disobedience of parents or school authorities. Many of the group home students would fall into this category, although some may also have been adjudicated a ward of the court under Section 602.

By statute, the State reimbursement for both Section 601 and Section 602 students is at the juvenile hall revenue limit, which is usually higher than for a regular school district. The rationale for reimbursing the attendance of Section 601 youths at this level is unclear; had the community school been unavailable, the Section 601 status offenses would not have resulted in having a youth committed to juvenile hall (cf. Section 207 of the Welfare and Institutions Code).

Another issue in possible need of clarification is whether students who were enrolled in a community school while on probation may continue to attend a community school (and, if so, at the juvenile hall revenue limit) when their probation has expired.

In addition to the above findings, the Financial and Performance Accountability Unit independently performed audits of the juvenile court schools program in seven counties during 1982 and 1983. Those audits were primarily compliance reviews of attendance accounting and reporting practices, and have been separately reported to the Department of Education. In one county, community school students were extensively reported as "wards of the court" which generated substantially higher funding for the county. The appropriateness of this practice has yet to be resolved by the Department of Education. In other counties, juvenile court schools and community school pupils were extensively used on work experience projects as compliance with the minimum day education requirements. We questioned the validity of claiming continuous apportionment funding for students who participate full days on work experience activity and attend classes only on alternate days. Questions on these practices of using work experience activities in juvenile court and community schools have yet to be resolved by the Department of Education.

CHAPTER VIII

ALTERNATIVE SCHOOLS

The previous pages do not exhaust the list of alternative programs. Many districts, for example, operate specialized academies, either as part of a traditional site (i.e., a school within a school) or at a separate location. While graduation requirements are usually the same as for the District as a whole, the electives are oriented toward a particular field of emphasis (e.g., computer applications, business, etc.). Special academies or schools within a school are sometimes designed not only for students who simply wish to pursue a specialized field, but also for the gifted or highly achieving or for students who are in need of a specialized program to prevent truancy or dropping-out.

The Los Angeles Unified School District has used the concept of a specialized curriculum to operate eighteen (18) separate "magnet" schools as well as sixty-eight (68) "magnet" centers at traditional sites during 1983-84. These magnets offer a variety of curriculum emphases or specialities. The magnets are designed to attract interested students from the District, and thereby facilitate desegregation. The program is part of the District's desegregation plan.

Sections 58500 et seq. of the Education Code also authorize "alternative schools." A key feature of the Education Code authorization is that the faculty assignments and enrollment in such schools must be voluntary. The alternative schools may also operate under waivers, to regular education code requirements, upon approval of the State Superintendent of Public Instruction. The Education Code requires that an evaluation report be filed with the Department of Education on the operation of any alternative school. The Department, however, has received few such reports and none of the twenty-six (26) local education agencies which we visited reported that they operate an alternative school under the provisions of Sections 58500 et seq. It seems that most alternative programs base their identity on specific statutory provisions related to a particular program configuration (e.g., independent study, ROC/Ps, continuation education, opportunity education, community schools) or to general education code provisions (e.g., voluntary magnets).

CHAPTER IX

FUNDING MECHANISMS

The alternative programs discussed in this report are funded primarily through regular State A.D.A. apportionments. As previously noted, however, individual program requirements for a unit of A.D.A. differ in terms of the required hours of instruction, the immediacy of certificated faculty supervision, and whether fractional units of A.D.A. and/or more than one unit per student are allowed.

One of the initial objectives of this exploratory study was to determine if the income received from the revenue limit apportionment by the local education agencies for the A.D.A. earned by each program was sufficient, insufficient, or excessive in relation to program cost. In other words, are the programs "self-supporting", showing a "loss", or showing a "profit".

However, this issue was severely complicated by the lack of consistent cost-center information across districts on each of the programs. Analysis was further complicated by the fact that the revenues generated by a program are not always clearly represented by the A.D.A. revenue limit for a district. For example, many continuation schools historically generated funding, under necessary small school apportionments, which is no longer identified specifically with the program, but is, instead, built into the revenue limit of the district as a whole. Similarly, permissive tax overrides levied on behalf of opportunity education before adoption of Article XXIII A of the State Constitution have also been folded into the general revenue limit. Thus, continuation and opportunity education may have actually generated more revenue than an A.D.A. apportionment will reveal.

It is also the case that the revenue limit is not necessarily indicative of the full amount of other funding generated by some of the high school alternatives. Since lower-cost elementary programs and higher-cost high school programs have been combined into a single revenue limit for unified districts, unit apportionments for high school A.D.A. will, to some extent, understate the revenues which have actually been generated by the secondary programs.

Furthermore, in other cases, such as ROC/Ps, a straight-forward comparison of costs and revenues will not be sufficient to answer the cost/income question, since A.D.A. revenues will necessarily be accounted to the program. In some cases the A.D.A. apportionments flow to different agencies than those that actually operate the program, or flow thru an intermediary which may retain some portion of the income for its own overhead charges. Especially for the ROC/P program, a cost/income comparison would necessitate a cost-accounting review to determine if the administrative charges assessed against the program were appropriate. Such an effort was beyond the scope of this study.

For the reasons cited above, we determined that any conclusive comparison of costs and revenues must await a more exhaustive effort.

CHAPTER X

CONCLUDING COMMENTS

In interviewing the administrators and staffs of the programs under study, the study team found that many pointed to their program as being one of the solutions to the massive problem of school drop-outs. Vocational and occupational training programs were claimed to keep in school those students whose interests were non-academic. Continuation, work experience, independent study, community schools and even opportunity programs claim to keep in school students who are disaffected with the nature of traditional secondary schools or who "need" to work during the school day. While many of these claims may be valid with respect to the students actually enrolled in such programs, the growth of the alternative programs has actually coincided with a substantial growth in the proportion of students who do not complete high school programs.

During the ten years of peak growth of alternative programs, from 1972 to 1982, the proportion of California ninth graders who did not graduate from high school increased from twenty percent to thirty one percent--and the State went from doing better than the national average of 23 percent in 1972 to doing worse than the 27 percent national average in 1982.

Thus, it would appear that the alternatives discussed in this report have not, in themselves, been sufficient to curb the drop-out problem. New reforms and/or alternatives may have to be developed if the problem is to be brought under control.

The study team was also struck by the tension which exists between the alternative programs as presently constituted and the reforms which are being implemented and proposed for the future. One common thread of the reforms is the idea of increased academic emphasis and competency. How does this fit into the present K-12 system in which students can attend school very little--or, given the lack of enforcement of the mandatory school attendance laws in many areas--not at all; and in which much, if not all, of a pupil's school day may consist of vocational training or actual paid employment? If academic achievement is the implicit goal for all students in the K-12 educational process, it may be that the academic components or potentials of the alternative programs will have to be intensified or developed.

On the other hand, it may be that intensified academic achievement is not a realistic goal for many of the students enrolled in the alternative programs, and that different educational goals are appropriate for different groups of students. The place of the alternatives in the overall scheme of educational reform appears to be a topic in need of greater policy clarification.

APPENDIX A

FUNDING FORMULAS

The purpose of this appendix is to present a very simplified view of how each program generates State funding. The technicalities of the computation of average daily attendance are omitted in favor of a listing of minimum day requirements and whether fractional/and or cumulative attendance credit is allowed with respect to those minimum days. Average daily attendance computations are basically a function of those rules.

	Revenue Limit	Minimum Day	Fractional/Cumulative Attendance Credit
INDEPENDENT STUDY (Full-time)			
	Treated as any other program for purposes of reimbursement of District revenue limit.	Contract work equivalent to at least the minimum day of the program for which it is used, e.g., four hours for a regular school, three hours per day average for a continuation school.	No
REGIONAL OCCUPATION PROGRAMS			
	Separate Revenue Limit (combined for adults and non-adults).	A minimum day of three hours is the basis of computation.	ROPS may receive fractional apportionment credit for attendance of at least sixty minutes, as well as cumulative credit for attendance in excess of three hours.

Revenue Limit	Minimum Day	Fractional/Cumulative Attendance Credit
REGIONAL OCCUPATION CENTERS		
Separate Revenue Limit (combined for adults and non-adults)	A minimum day of three hours is the basis of computation, and at least three hours of attendance is required.	Regional Occupation Centers may receive cumulative apportionment credit for students who attend more than three hours per day (e.g., five hours per day would generate one and two-thirds A.D.A.)
WORK EXPERIENCE		
Contributes up to a maximum of twenty-five percent of a District's revenue limit when used in conjunction with comprehensive programs. Contributes up to a maximum of two-thirds of a district's revenue limit in conjunction with continuation programs.	Reduces regular four hour minimum day to three hours. Does not change continuation school average minimum day of three hours but counts toward meeting the average requirement.	No
COOPERATIVE VOCATIONAL EDUCATION		
Used mostly at ROC/Ps and thus generates mostly ROC/P revenue limits.	Three hours at ROC/Ps. May generate up to three hours a day attendance credit maximum.	Same rules apply as with ROC/Ps except that cumulative units of A.D.A. are not allowed.
CONTINUATION SCHOOLS		
District revenue limit.	Fifteen hour minimum week (i.e., an average of three hours per day)	No

Revenue Limit	Minimum Day	Fractional/Cumulative Attendance Credit
COMMUNITY SCHOOLS		
The revenue limit may vary by student and is a function of the source of referral (e.g., juvenile hall or district revenue limits may be used)	Four hours.	No
ALTERNATIVE SCHOOLS		
Same as District.	Four hours.	No

October 31, 1984

David Dawson
Chief Executive Assistant
Department of Education

Program Evaluation Unit

Response to Alternative Education Report

Please find enclosed a draft report entitled "Alternative Education". Although the report does not review Department of Education operations, it does focus upon the structure of several programs which the Department oversees. The report is current as of May 1, 1984.

I am providing the report to you for comment and response before its distribution. At this time, it is anticipated that the Department of Education's response will be included in an appendix. The response should be received by November 30, 1984.

The response should discuss areas of agreement or disagreement and what actions are planned with respect to the recommendations. Any relevant legislative actions or other developments after May 1, 1984, which are germane to the report's contents, could also be included.

Very truly yours,

R. Cutting

Richard L. Cutting, Chief
Program Evaluation Unit

Enclosure

P:5001D

cc: James R. Smith, Deputy Superintendent, Curriculum and Instructional Leadership Branch
Robert W. Lawrence, Deputy Superintendent, Field Services Branch
Xavier Del Buono, Director, Vocational and Continuing Education

State of California JAN 07 1985 Department of Education

Memorandum

To : Richard L. Cutting, Chief
Program Evaluation Unit
Department of Finance

Date : December 26, 1984

File No.:

From : William D. Dawson, Executive Deputy
Superintendent of Public Instruction

Subject: Response to the Alternative Education Report

Enclosed is the Department of Education's response to the Alternative Education Report. Thank you for the opportunity to provide these comments prior to publication of the report. Department staff have been in contact with Kerry Adlfinger regarding the time line for submission of the response. If you or Mr. Adlfinger need further information, please contact Carolyn Pirillo, Audit Response Coordinator at 324-9685.

cc: Kerry Adlfinger
Xavier Del Buono
Robert W. Lawrence
Diane Kirkham
Management Review

JAN 07 1985

APPENDIX B

DEPARTMENT OF EDUCATION RESPONSE

Response by the
Department of Education
to the

ALTERNATIVE EDUCATION REPORT

Prepared by

Department of Finance
Program Evaluation Unit

California State Department of Education
721 Capitol Mall
Sacramento, CA 95814
December 1984

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Chapter I, Introduction

General Comments

The reported findings, conclusions and recommendations in the Alternative Education Report dated May 1984 provide useful information while at the same time the report raises some concerns. One concern pertains to the choice of title and definition of terms. We believe these could confuse the agencies dealing with the programs represented in your report. The title is misleading in that it does not precisely represent the programs discussed in the report.

Although, it is stated in the introduction (page 1) that the term "alternative" is used in the generic sense, many of the results of the study reflect, either by fact or implication, the use of the word "alternative" as defined in Education Code Section 58500.

There is a significant difference in the definition and implications of each use as it applies or relates to this report. Specifically:

a) "Alternative" in the generic sense is defined as a program option/choice open to districts for meeting the needs of their pupil population.

b) "Alternative" as defined in Section 58500 of the Education Code, is a choice/option that may be exercised by the parent/pupil/teacher and the administrator.

As has been indicated on page 63 , a key feature of the Education Code (§58500) is that the faculty assignments and pupil enrollment in such schools must be voluntary. Further confusion follows from the significant differences in the legislative intent, mandates, program requirements, and fundings/mechanisms for the programs discussed in the report.

The comments reported by the review team on page 66 to some extent illustrate the confusion that can result from trying to combine or do a comparable analysis of the selected programs under the title of "alternative education."

The report states:

> "The Education Code requires that an evaluation report be filed with the Department of Education on the operation of any alternative school. The Department, however, has received few such reports and none of the twenty-six (26) local education agencies which we visited reported that they operate an alternative school under the provisions of section 58500 et. seq. It seems that most alternative programs base their identity on specific statutory provisions related to a particular program configuration (e.g. independent study, ROC/Ps, continuation education, opportunity education, community schools) or to general Education Code provisions (e.g. voluntary magnets.)"

The school administrators were correct in identifying of their programs with specific authorizing legislation.

There is no connection between the programs described in the report, except Alternative Schools, to alternative education as defined in the Education Code Section 58500, and therefore there is no need for these programs to respond to requirements of this code section. School authorities did not need the chapter on alternative schools in the Education Code to create and operate schools of choice.

In view of the above discussion it is recommended that consideration be given to the use of "Supplementary Student Program Services" as the title for this report because its organizing concept is better described by this substitute title than by the generic term "alternative."

The omission from the Introduction of a section on study methodology and design is also of some concern. The report seems to be comprised mainly of conclusions and recommendations, leaving the reader to wonder what were the findings and how they were obtained. Perhaps the findings were not viewed as important but they could be useful to Department of Education personnel who are deprived of needed data because of the continuing prohibition on evaluative studies which has been affecting alternative education and other areas since it appeared in the Budget Act several years ago. A more detailed presentation of the findings would possibly be helpful.

Chapter II, Independent Study

Introductory Summary, pp. 5-8

Comments

This seems to be a generally accurate and useful description as a background. Two significant omissions or oversights are as follows: (1) An increasing number of students, especially at the elementary level, fall in another category: the use of independent study as a means of providing home study--an attractive and successful option especially for parents who want or need to provide their children with an essentially tutorial and enriched education instead of what is available to them. And, (2) a significant number of students (number unknown) are adults who are even older than the 19-21 year group mentioned who are engaged in a "regular" full-time high school program of study leading to a diploma. The latter group of students are not in Adult Education (where they might be taking one or two courses per semester) but are in the non-classroom-based option that combines such group and individual study strategies as may be needed for a full program in available time--often evenings and weekends. Some portion of these individuals start out in an intensive English language program to acquire the communication skills required for all other educational activities.

Further, it should be kept in mind that the statements in this section of the report do not necessarily describe every school district's program. Although approximately half of the local educational authorities in the state have elected to offer some form of the independent study option, dissimilarity is probably more characteristic than similarity. For example, some districts greatly restrict the use of independent study and others encourage its use and are very accommodating. Some will only use it for students on long vacations during the school year and some only use it as an alternative to expulsion.

Teacher Supervision, pp. 9-13

Comments

This section focuses on (1) the frequency and duration of contact between the students and the school district's certificated representative, (2) the general nature of teacher supervision, (3) the use by public school authorities of nonemployees in instructional roles covered by some kind of contract, and (4) standard setting or regulation by the State Board of Education and/or the Department of Education. Regarding the first issue, this department's widely expressed guidance (included in the March 1984 revision of the independent study operations manual) is that the frequency and duration of contacts between the LEA's official representative(s) and the student should be determined by the student's need. It is likely that more contact is required at the start of an independent study program and less later. Also, the greater the immaturity of the student the more time will be needed with the responsible teacher, unless there is a good substitute in the situation (as when the parent is a qualified teacher). The suggested rule on page VII-3 of the independent study manual should not be mandated without and unless there is legislative action to do so.

Regarding the second issue, the key factors are the availability of mentors who can assist the student appropriately and the student's qualifications for independent learning. The provision for general supervision makes it possible to design a learning plan which takes the student and his or her situation into account. Professional judgments must be made. Independent study is not an appropriate option for all students.

Regarding the third issue (the use of private school or other personnel under some kind of contract), none of these nonemployees may perform the school district's mandated role. They may only be the "others" who may be a party to a particular agreement and share to some extent in the mentor role. This department's written and oral statements are clear and consistent on this point. DOE provides examples of unacceptable and good models for such contracts, with a commentary on unacceptable features.

Regarding the fourth issue (standard setting), this department's experience with the establishment and revision of regulations indicates that the appropriate route is generally either legislative policy making or departmental guidelines. CAC, Title 5 regulating authority is no better than the legislative policy on which it is based. The specific recommendations are addressed individually as follows:

Recommendation No. 1 (p. 11)

"We recommend adoption of legislative or regulatory standards specifying the (minimum) frequency and duration of counseling sessions between a full-time independent study student and a certificated instructor. These standards should also specify whether the counseling sessions should be on a one-to-one basis, or whether small group or periodic class meetings are acceptable. For this and any other recommendation pertaining to the establishment of standards, the Deparment of Education should be given the authority to authorize appropriate waivers or exemptions."

(Editor's Note: Subsequent to the Department's response, this recommendation was modified to clarify that it is only calling for the establishment of minimum standards.)

Response to No. 1

It might be possible to do what is recommended here for some theoretical "modal program model" but the necessary supplemental qualifiers could easily exceed the existing applicable regulations, even with the necessary waiver authority. The problem with this recommendation is that it tends to vitiate the essential quality of independent study as an optional alternate strategy for K-12 students--its flexibility for meeting individual student needs and differences.

Recommendation No. 2 (p. 13)

"We recommend that the Department of Education request an Attorney General's opinion with respect to the constitutionality of using State apportionments to contract with private institutions for the full educational program of public school students on independent study. If the Attorney General's opinion suggests the practice may be unconstitutional, the Department of Finance and the Department of Education should take immediate steps to withhold apportionments for any ADA claimed under such arrangements."

Response to No. 2

The Department of Education can request the Attorney General's opinion as recommended but so can the Department of Finance. Since it was the DOF's auditor's findings that raised the issue, the DOF is obviously in the better position to request the opinion. The basic issue is one of setting limits on or creating standards for contractural relationships between a public school governing board and any prospective contractor with regard to certain instructional services.

Student-Teacher Ratios (pp. 13-14)

General comment

Both the Department of Education and professional leaders in the field have tended to concur with this section. A ratio was recommended to the State Board of Education committee on CAC, Title 5, revisions and it rejected the notion on the basis of the wording of existing statute. Legislative action is needed.

Recommendation No. 3 (p. 14)

"We recommend the adoption of legislative or regulatory standards which specify maximum student/teacher ratios for full-time independent study."

Response to No. 3

The Department of Education concurs in the need for legislative--not regulatory--standards and will take positive action to obtain this objective.

Levels of District Participation (pp. 15-16)

General Comment

Interesting issues are raised in this section of the report but they do not seem to call for legislative regulation and control at this time. The districts that tend to use more independent study (e.g., San Juan Ridge Union Elementary School District in Nevada County with a total 1983 K-8 enrollment of 284 and Southern Humboldt Joint Unified with a total 1983 K-12 enrollment of 1,370) do not represent a general statewide trend and did not reach a fifteen percent (15%) level as of the Second Principal Apportionment Report for 1983-84. They appear to be smaller districts with special conditions and needs.

Recommendation No. 4 (p. 15)

"We recommend that the Legislature establish a cap on the maximum percent of a district's average daily attendance which may be realized through full-time independent study, the Department of Education could be authorized to grant exemptions if circumstances in a given area warranted."

Response to No. 4

The issue of a cap on the maximum percent of a district's ADA which may be realized through full-time independent study is properly a matter for consideration by the legislative policy committees and the Department of Education. The issuance of guidelines by the Department of Education is also viewed as an appropriate way to deal with the issues expressed in the report until such time as a legislative change may be made.

Recommendation No. 5 (p. 16)

"We recommend that the Legislature repeal the existing prohibition of enrollment in independent study of more than ten percent of the students in a continuation school or opportunity school or program."

Response to No. 5

The recommended repeal of the ten percent cap on independent study for students enrolled in continuation or opportunity education is an issue for consideration by the legislative policy committees in the context of their review of the possible need for a cap on all forms of independent study options. The Department of Education favors retention of a cap on independent study in these programs because of their special characteristics.

Student Eligibility (pp. 17-18)

General Comment

Two issues are raised in this section: (1) minimum student qualifications for eligibility for full-time independent study and (2) the occasional practice of enrolling students in less than full-time independent study programs. Regarding the first issue the views expressed are biased by a secondary level perspective and disregard the experiences with various applications of independent study at the elementary level, especially for home study and for long periods of student absence. These problems may reflect a sample construction error in the study design.

The second issue indicates a condition of noncompliance in some situations. The Department of Education has consistently made it clear in oral and written statements that under existing statute, independent study is not an available strategy for delivery of educational services for Adult Education, and for accounting purposes it should not be used for independent study programs of duration less than the minimum day. Confusion follows from the common misconception that there is a necessary connection between the age limits on compulsory attendance and possible attendance. There is no such connection in California law and regulations. Any person, regardless of age, is eligible for a regular full-time educational K-12 program as offered by a local educational authority, and independent study is an alternative, optional means of delivery of educational services, except as prescribed.

Recommendation No. 6 (p.18)

"We recommend the development and adoption of legislative or regulatory standards requiring a student to demonstrate the achievement of minimum skill levels before enrollment in a full-time independent study program."

> (Editor's Note: Subsequent to the Department's response, this recommendation was revised to call for the individual school districts to review their programs to determine if minimum skill standards are appropriate for their programs.)

Response to No. 6

The Department of Education understands this recommendation but is concerned that overregulation could limit the value of independent study for the elementary level and for non- and limited-English-speaking students. The needed controls are possibly more appropriately provided by state program guidelines and district policies than by mandate.

Recommendation No. 7 (p. 18)

> (Editor's Note: Recommendation No. 7 was dropped subsequent to the Department's response.)

Absences (pp. 18-22)

Comment

This section identifies the following issues: (1) "attendance" problems associated with a student's keeping agreed-upon conferences with the designated school district representative, (2) the occasional local practice of awarding "retroactive attendance credit" for a "period in which the student has an unexcused absence," (3) the merits of limiting the extent to which independent study may be substituted for a classroom-based educational program, and (4) the merits of limiting the number of units a student may earn through independent study during any specific school period.

The first issue ("attendance" and the scheduled meetings between student and district representative) is based on a typical misunderstanding: the introduction into the attendance procedures for independent study is a consideration that is applicable only to classroom-based attendance accounting. Once independent study is the elected option, the attendance accounting shifts entirely to a positive product or outcomes measuring system. In every instance a competent professional judgment must be made as to the time value of the student's independent study effort, and that amount of time is then credited on an approved official attendance roster. No amount of presence--in classroom or conference settings--should be counted for attendance accounting (ADA) purposes. Thus, any rules that are needed about a student's attendance at agreed-upon and scheduled conferences or any other event, e.g., for testing and counseling, should be viewed in the context of the set of needed local rules and regulations as required by E.C. §51746, with reference to the applicable CAC, Title 5, regulations.

Regarding the second issue ("retroactive attendance credit" granting), the only thing that counts for independent study attendance is work completed by necessary deadlines. When the student submits the evidence of work accomplished he or she gets attendance credit. No credit for attendance may be reported for ADA purposes until the work is done. A student's presence at a scheduled conference doesn't count for "seat-time attendance" as in a classroom--it counts only as an aspect of work done. If a school district is accounting for scheduled conference time as "attendance" as such, it is wrong and someone in that situation is demonstrating either a misunderstanding or a non-compliant behavior.

The third issue (limiting the extent to which independent study may be substituted for classroom-based education) and the fourth issue (limiting the number of units a student may earn via independent study during any set school period) are philosophical problems to which an entire study or paper should perhaps be addressed. There are clearly differing points of view on these subjects and some of them have been noted in this study. This is an issue for legislative policy making review when such consideration is needed.

Recommendation No. 8 (p. 19)

"We recommend adoption of legislative or regulatory standards requiring that a student be declared ineligible for full-time independent study if the student exceeds an allowable number of unexcused absences."

Response to No. 8

The Department of Education does not accept this recommendation for either legislative or regulatory action because it reflects a basic misconception of how attendance is computed for independent study. Local governing boards should develop and adopt a set of appropriate rules and regulations for all aspects of the ISP, including incentives for attending scheduled events and consequences of not doing so. In guidelines, the Department of Education can offer model rules but we see no convincing reason to prescribe standards by regulation.

Recommendation No. 9 (p. 20)

"We recommend adoption of a legislative or regulatory standard prohibiting the award of retroactive attendance credit for any period in which the student has an unexcused absence, even though the student may subsequently turn in assignments for that period."

Response to No. 9

The Department of Education concurs there should be protection from abuse. Setting standards can, however, restrict the flexibility and constructive possibilities of the present design of the independent option. Therefore, care must be taken to deal only with the narrow issue of retroactive attendance credit.

Recommendation No. 10 (p. 22)

"We recommend the adoption of legislative or regulatory standards establishing a maximum number of credits which may be earned in independent study during any school year."

Response to No. 10

The Department of Education does not concur in the judgment that there is a need for regulation of the number of credits a student might earn in a given school period. There are enough limitations when one views the availability of instructor time, student motivation, and other general conditions. We would agree that guidance is needed and models would be helpful to districts in identifying ways of maximizing quality learning and minimizing poor achievement in the independent as well as the "regular" study options. However, it is recognized that credit limits could be reflective of those which exist in other programs within a given district, i.e., whatever is the standard for the regular program would be appropriate for the independent study program.

Chapter III, Regional Occupational Centers/Programs

General Comments

State Department of Education staff do not view vocational education as an alternative education system. It is viewed as an integral part of the comprehensive education system, where students have the opportunity to reinforce basic skills through application and acquire needed general vocational and job specific skills for entry-level jobs, upgrading, or advanced training.

Regional Occupational Centers/Programs, Community Classrooms, Cooperative Vocational Education, and Work Experience Education are not programs.

- ROC/Ps are a delivery system for conducting vocational education programs and services.
- Community Classrooms are locations in the business community where students are given the opportunity to develop competencies.
- Cooperative Vocational Education and Work Experience Education are methodologies for students to gain practical on-the-job experience that reinforces classroom instruction.

Recommendation No. 1 (p. 26)

"We recommend that the Department of Education instruct ROC/Ps that ADA may not be claimed for a student's attendance beyond the approved course hours."

Response to No. 1

The current State Department of Education approval process for ROC/P courses includes the approved number of hours of instruction for a specific course.

The Department of Education recognizes that it is possible for a given student not to complete all of the objectives established for a course. In some instances, a student might enroll in the same course the following year to complete the objectives and acquire the desired skills.

The Department of Education has discussed this issue in detail with administrators and teachers of regional occupational centers and programs and are of the opinion that students repeating a course are the exception rather than common practice.

While the Department of Education staff and ROC/P personnel are aware of the issue, we do not believe that there are any significant abuses currently occurring.

Recommendation No. 2 (p. 33)

"We recommend the adoption of the legislative or regulatory standards specifying when it is appropriate to enroll a high school student in cooperative vocational education as opposed to vocational work experience."

Response to No. 2

Statutes permit ROC/Ps to offer work experience education, but they cannot claim ADA for such work experience unless it meets the standards for cooperative vocational education.

Cooperative Vocational Education is not a vocational program in which a student can enroll. Instead, it is a methodology for students in a specified vocational program to acquire on-the-job paid work experiences directly related to the classroom instruction.

The Department of Education staff believes that this approach is one of the best ways for a student to gain vocational knowledge and skills in a classroom and to demonstrate through practical application those knowledges and skills in an employer-employee setting.

There are many similarities between cooperative vocational education and vocational work experience. The primary difference between the two methodologies is that in cooperative vocational education, the teacher of the instructional program is the one who coordinates with the student on-the-job and the employer. This single difference is a significant one. The teacher's direct involvement with the student on-the-job and employer provides a much greater vocational program responsiveness in assisting the student in areas of need than when the coordination is done by a person other than the vocational education teacher.

As a result of recently enacted legislation (AB 3460), currently there are required superintendents' regulations being developed by the State Department of Education staff and a field advisory committee.

(Editor's Note: Please see editor's note on p. 33 of the text.)

Recommendation No. 3 (p. 35)

"We recommend the Department's periodic reviews of established courses involve particular emphasis upon the market demand and placement success of courses on contract with private postsecondary institutions."

Response to No. 3

The ROC/P program/course review process does give particular emphasis to the labor market demand and should give attention to labor market supply. This review process also includes vocational instruction conducted through contract provided by private postsecondary institutions.

The Chancellor's Office of the California Community Colleges, with involvement of the State Department of Education staff, is currently completing a third-party study on placement.

We concur that placement success is an extremely important criteria; however, at this time, there are no established minimum placement rates for all vocational courses.

The purposes of ROC/P include instruction and training for entry-level, advancement, retraining, and skills to go on to more advanced training. Not all purposes relate to job placement.

An additional study of the placement issue will be conducted by the State Department of Education staff and field personnel and appropriate revisions will be made to the course review process.

It should be pointed out that, in general, the findings from the State Department of Education reviews of private postsecondary institutions indicate that there is good job placement success for students completing the vocational programs.

Recommendation No. 4 (p.37)

(Editor's Note: Recommendation No. 4 was dropped subsequent to the Department's response.)

Recommendation No. 5 (p. 39)

"We recommend that the Department of Education, in cooperation with representatives of the Regional Occupational Centers and Programs, review the current requirements against supplantation to determine if further controls are feasible."

Response to No. 5

The State Department of Education staff, in cooperation with representatives from the ROC/Ps, will review the current requirements pertaining to supplanting.

Generally, past experience has shown State Department of Education staff responsible for approving ROC/P courses if a ROC/P offers a course previously offered by high schools; the ROC/P course content has been modified in content, scope, or intensity; and the course is available to a greater number of students. If these conditions are met, it is extremely difficult to prove that the course being added by the ROC/P is supplanting.

Chapter IV, Work Experience

Recommendation No. 1 (p. 42)

"We recommend that the Department of Education develop an enforcement methodology for fostering strict school district compliance with the established coordinator-pupil ratio for the work experience program."

Response No. 1

The Department of Education will develop written communication to school district superintendents, perhaps in the form of a Program Advisory for Work Experience Education, reinforcing the requirements for maintaining the ratio of one full-time equivalent certificated coordinator for each 125 work experience education students.

Recently enacted legislation (AB 3331) requires the development of standards, rules, and regulations for work experience education. These standards will also reinforce the 1-125 ratio.

Existing staff does sample these data through the current Department efforts in the Coordinated Compliance Review process.

Recommendation No. 2 (p. 43)

"We recommend that the Department of Education study the role of work experience programs in the reformed secondary school system which is emerging from both current and proposed revitalization efforts and that, if appropriate, changes be proposed."

Response to No. 2

The current efforts of the State Department of Education, Vocational Education Division, to develop a state plan based on the needs of California students and businesses includes Work Experience Education.

The development of this Plan is consistent with and supports the reform and proposed revitalization of the secondary school system.

If there are areas identified for improvement in Work Experience Education, these will be addressed the same as other areas identified as needing improvement.

Chapter V, Continuation Schools

Introductory Remarks, pp. 45-50

Comments

Continuation education is not a choice, option or alternative for school districts. It is a program required to be offered in all districts having 100 or more pupils in the twelfth grade, unless an exemption based on small enrollment or contractual agreement with an adjoining district to provide continuation services is approved annually by the Department (EC Section 48432). It is a program mandated for all pupils age 16 to under age 18 unless exempt for one of the reasons enumerated in EC Section 48410. Procedures for transfer of eligible pupils are defined by statute (EC Section 48432.5) and, if used as prescribed, ensure due process for the pupil and avoid the use of the continuation high school for only "problem" pupils. Because of the broadened base of pupil characteristics found in the program, the program goals cited in SB 813 (EC Section 48430) omit reference to "pupils with behavior or severe attendance problems," and instead focus on the mandated program components--individualized instruction, intensive guidance services, and occupational development.

California is one of few states in the nation requiring school attendance to age 18, graduation, or its equivalent. As such, EC sections 48400 and 48402 identify the weekly minimum attendance requirement for continuation pupils, based on their employment status (full-time employed, 4 hours; and part-time/unemployed, 15 hours). The part-time compulsory attendance requirement, small high school environment, and flexible weekly schedule that meets individual pupil needs, having increased the chances for graduation for about 5-10 percent of the high school population.

The percentage of graduates quoted in the report reflects the number of graduates as compared to the total cumulative enrollment. When compared to the number of potential graduates (those who at entry to the program are within the appropriate age and credit range), 75 percent of the age-eligible and all of the credit-eligible pupils 1983-84 graduated. The latter number included 15 percent more pupils than were expected to be eligible when they entered continuation school. Therefore, the shorter day may not, as the study concludes, interfere with the pupil's opportunity to amass enough credits for graduation. What does appear to affect credit accumulation is the sole use of time as the basis to grant credits. Authority is given in CAC, Title 5, Section 1600 to grant course credit on the basis of time (12 hours equal one credit) or mastery of content. Continuation high schools using mastery learning techniques (content) and individualized, rather than group-paced, instruction are graduating their pupils without resorting to the alternatives reported by the study team, or a change in the present structure of the program.

What is needed to graduate more pupils is a greater emphasis on and more widespread use of individualized instruction coupled with changes in teacher preparation and training. At the present time, teacher training institutions do not offer training for continuation education teachers. Districts provide limited, if any, staff development for continuation education personnel, and, except for Department efforts in 1965-1970, limited staff and budget have prevented the delivery of more services beyond the provision of workshops for continuation administrators.

Recommendation 1 (p. 50)

"We recommend that the Department of Education develop a proposed state policy, including any necessary proposals for structural reform, which is aimed at ensuring graduation opportunities within continuation schools in the face of possible district increases in graduation requirements."

Response to Recommendation 1

Both Department of Education and continuation education field leadership personnel agree that the primary goal of the continuation high school or continuation class is graduation or completion of high school by certificate. A state policy to ensure this primary goal would serve only to reinforce existing legislative mandates. A policy to make structural change in the continuation program, i.e., require more time in school, would delete part-time education. A realistic long-range solution is to develop and provide teacher preparation and training in individualized instructional techniques, followed by workshops to develop instructional materials. Planning, organizing, and packaging courses for the entire high school curriculum takes time and substantial effort, therefore, curriculum networks could be established for the exchange of materials that are developed by continuation education staff. As the delivery of staff development services require resources beyond the limited budget at the Department level, other sources should be sought for implementation.

Use of the Work Experience Program, pp. 50-52

Comments

As can be observed in the following chart, the incidence of use of the work experience program is decreasing:

	Work Permits Issued	Part-Time Employed	W. Exper. Enroll.	Full-Time Employed	W. Exper. Enroll.
1979-1980	26%	17%	13%	8%	7%
1980-1981	23%	15%	10%	8%	6%
1980-1882	20%	14%	10%	7%	5%
1982-1983	No DATA AVAILABLE				
1983-1984	18%	13%	9%	6%	4%

From Annual Continuation Education Year End Report.

The concern over the compulsory minimum four hours per week attendance for the full-time employed continuation student seems minimal in the face of the small percentage of students involved.

According to a Department of Education memo regarding attendance accounting procedures for the continuation high school, work experience students may be credited up to 10 hours of attendance per week for off-campus work. The actual number of work hours depends upon the number of work hours in the work experience contract. Students must also be programmed for on-site campus classes for a minimum of four hours per week to also qualify for the work experience credit and, in addition, for the one hour minimum of counseling or instruction on-site to qualify the work experience for attendance credit. Work experience attendance is not qualified on a week to week basis. Should the student miss the classroom requirement in a given week, the work permit may be withdrawn and the student returns to the nonemployed status of 15 required clock hours per week attendance.

To maintain the integrity of the mandated program goals for continuation education, the work experience program is vital to the delivery of the services of occupational development. Further, school attendance is enhanced for the working student, and with the appropriate supervision and meaningful related instruction "hands-on" experiences provide an additional instructional strategy for the continuation high school. In no way does the minimum four-hour week for full-time employed students legitimize minimum attendance. As proof of this, we offer the 7000 ADA (1983-1984) accumulated by continuation sites in one school year as excess hours of service delivered and student attended that are over and beyond the minimum attendance of 15 hours per week per student that can be generated for apportionment credit. Total ADA generated by continuation education last year was 41,600 ADA (1983-1984).

The use of work experience hours for the student scheduled, enrolled and attending 15 hours per week would be in excess of the hours that may be claimed for apportionment, therefore cannot be counted for that purpose.

Recommendation 2

"We recommend that the Department of Education review the role of the work experience program in continuation education with a view to developing alternatives for minimizing its impact upon classroom instruction."

Response to Recommendation 2

We welcome the opportunity to review the work experience program and assess its impact on classroom instruction. Data are available that provide the information on concurrent and in lieu of continuation enrollment and the numbers of students involved in such programs. In addition, a review of the role of the work experience coordinator and supervision of the work experience program is a compliance issue.

Aspects of that review and the results will be forthcoming. Continuation education personnel are being asked to review and report on the materials and methods used for instruction and learning in the "related instruction" aspect of the program.

Chapter VI, Opportunity Schools and Programs

Introductory Statements, pp. 55-56

Comments

The study team did attempt to make a differentiation among the delivery systems for opportunity education, however, the discussion fails to provide the intent and purpose of this preventative measure that may be provided by districts for selected pupils as set forth in EC sections 48630 and 48631. There is a clear legislative intent for opportunity education, namely, to permit pupils to ". . . re-establish themselves for return to regular classes or regular schools as soon as practicable" through three types of organization for pupils, grades one through twelve: opportunity schools, opportunity classes, and opportunity programs.

Pupils selected for assignment to opportunity education "are, or are in danger of becoming, habitually truant from instruction upon which they are required to attend, or who are, or are in danger of becoming irregular in attendance, or who are, or are in danger of becoming insubordinate or disorderly during their attendance upon instruction. . . ." (EC Section 48630.)

The following definitions are provided to clarify the terms used in opportunity education:

- Opportunity Pupils - individuals enrolled in grades one through twelve, inclusive, identified by characteristics enumerated in EC Section 48630, who are assigned to experience the opportunity environment for adjustment purposes for all or part of the school day.
- Opportunity Environment - the specialized curriculum, school climate, instruction and guidance services designed and provided by qualified school personnel in the opportunity school or class to carry out the adjustment purposes of opportunity education.
- Opportunity School - a public school building, established as an elementary or secondary school, that provides exclusively, the opportunity environment for identified and assigned opportunity pupils.
- Opportunity Class - the room or rooms in a public elementary or secondary school designated and used exclusively to provide the opportunity environment for identified and assigned opportunity pupils.
- Opportunity Class Assignment - a daily schedule for an opportunity pupil of not less than 180 minutes exclusively in the opportunity environment at an opportunity school or opportunity class. Attendance of such pupils is recorded and reported on the J-18 or J-19, and P-2 Reports as Opportunity ADA (EC sections 46180 and 46340).
- Opportunity Programs Assignment - a daily schedule for an opportunity pupil of not less than one class period, but no more than 179 minutes in the opportunity environment, with the balance of at least the minimum school

day for the pupil's grade level in the regular school or class. Attendance of opportunity pupils assigned this commingled schedule is credited to and reported as regular school or class ADA (EC Section 46180).

Request for Clarification, p. 56

Comments

Reference is made to the similarity of opportunity and continuation education, and the finding by the study team that some districts use the two types of experiences interchangeably or make no distinction between the two, particularly at the high school level. Comparison of the pertinent EC sections 48400-48454 (Compulsory Continuation Education) and EC sections 48630-48639 (Opportunity Education) reveals a vast difference in legislative intent, clearly defined purposes and goals, and the specific operational procedures to be used in each.

Clearly, the opportunity experience is for the temporary assignment of a pupil for adjustment purposes, not to replace the full-time compulsory attendance requirement. Rather, the assignment of pupils to the opportunity environment is for the purpose of promoting remediation, rehabilitation, and return to the regular school or class as soon as possible. The type of pupil needing short-term intensive, personalized instruction and guidance may, in fact, be continuation-eligible. In which case, the continuation high school may provide its own opportunity class, or identify and assign it pupils to the opportunity program type of organization for the stated adjustment purposes.[1]

Incentive Funding, pp. 56-57

Comments

The discussion presented by the study team regarding the incentive funding within SB 813 (Chapter 498, Statutes of 1983) is, for the most part, no longer pertinent. Your attention is called to the changes made in the EC Section 48644 to:

> Beginning with the 1984-85 fiscal year . . . the Superintendent of Public Instruction shall . . . allocate to each school district which is eligible . . . an amount not to exceed four hundred dollars ($400) per unit of average daily attendance (ADA), based on the additional enrollment in these classes and programs above the 1982-83 enrollment levels, expressed in terms of ADA. (Item No. 6100-119-001, Chapter 258, Pages 315-316 Budget Act)

Eligible districts shall demonstrate that the instructional and counseling services provided by the increased opportunity programs or classes will result in costs in excess of reimbursement provided in the regular apportionment to the district (EC Section 48644(b)(3)).

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[1] Study team comment. The analysis to which the Department refers is based on an on-site visit to the Los Angeles Unified School District. Despite differences in the authorizing statutes, the study team could find no analytical distinction between

(continued--next page)

Chapter VII, Community Schools

General Comments

This chapter should be re-titled, "County Community Schools" because that is what it covers. The chapter does not address (1) school-based community schools, (2) community-based community schools, or (3) community classrooms, as operated in various parts of the state by school districts. These school district sponsored community schools tend to maximize the use of available resources and to take advantage of volunteer community services and contributed resources. Some have been found to demonstrate a high level of effectiveness for some types of learners--especially those who learn best from pertinent experience and through action as opposed to visual and aural presentations.

Regarding the findings and conclusions that are either reported or implied in Chapter VII as presented in this draft, there is one addition which should be added to give balance. In identifying the various populations served by the county community schools, the report should also list students who have been referred by a School Attendance Review Board (SARB), including those who have no history of illegal or antisocial behavior but who have been referred because of an attendance problem. A few county school superintendents have worked out cooperative service agreements with their school districts through which the county community school serves students in this category who generally do not attend any public school. We understand that a significant portion of such students are individuals who were formerly being educated in home-based private schools, so the county community school, generally through use of full-time independent study, is claiming or reclaiming for public education, individuals who have been in the amorphous private school sector. We would be very pleased to obtain the findings from a study of these new developments.

To deal with the questions raised in the report regarding funding (p. 62-63) one must look at the history. Originally, the county revenue limit was the standard and a special tax could be levied to permit districts to have a revenue limit for community schools equal to that of the local county limit. Proposition 13 eliminated this option for districts to secure funding for excess costs of operating community schools. History does demonstrate that at one time this kind of education was determined to cost in excess of the traditional methods.

The implication in the report that students attend less school as a result of working is not accurate. Students must, as a minimum, attend 2,400 minutes of class in a ten-day period of time. This is equivalent to the minimum for students in a traditional high school.

(continued from previous page) continuation and opportunity high schools in terms of the types of students served or whether one program was more or less oriented than the other to the "temporary assignment of a pupil . . . for the purpose of promoting remediation, rehabilitation, and return to the regular school as soon as possible". However, the opportunity schools did differ from the continuation schools in that they offered a shorter regular instructional day (three hours instead of four hours) and appeared to have richer program offerings due to historical budgetary reasons internal to the District.

Chapter VIII, Alternative Schools

General Comments

The Department of Education notes that this study report virtually omits that population of students who are in schools and programs within schools that county superintendents and school districts have established as options for students and parents within their jurisdictions. These could have special interest for a department of finance because of their reputed cost effectiveness.

The study team's briefing by education staff included reference to the 1982 report of the national Project on Alternatives in Education (sponsored in part by the Education Commission of the States and the National Association of Secondary School Principals) authored by Mary Anne Raywid, Chairperson of the Department of Administration and Policy Studies at Hofstra University, that included the following in a list of selected survey results:

- No greater cost: Per student costs in 62 percent of responding schools are the same, or even lower, than in other local programs.
- Kids like alternatives: Their attendance goes up in 81 percent of the alternative schools that wrote us--sharply in 38 percent.
- Curricula stress basics: 79 percent report basic skills the point of primary content emphasis.
- Teachers the central ingredient: The most outstanding features of alternative schools are human relationships and instructional activities--not equipment, nor facilities, nor curriculum.
- Reform potential: Alternative schools are pioneering new organizational structures, innovative forms of social control, and new varieties of learning activities.

Another finding of the above study was that ". . . most alternative high schools send a sharply higher percentage of their graduates on to college than do other high schools in the same district." A significant portion of the national study's sample was in California, so the findings could be viewed as probably characteristic of the California situation in general. The findings of the 1982 survey by the California Assembly Office of Research supported the national report.

The report mentions that none of the twenty-six (26) local educational agencies visited reported operating an alternative school under the provisions of E.C. 58500 et seq. However, 659 schools and 447 programs--not including almost all the magnet schools in the San Diego, Long Beach, and Los Angeles city school districts--were identified by local school authorities in the 1983 California Basic Educational Data System (CBEDS) annual survey as being alternatives as defined in the CBEDS instructions.* Regarding the definition in E.C. 58500, the information available to us suggests that the closing statement in your Chapter VIII is correct--most alternative programs (defined in the generic sense as stated in your Chapter I) are indeed based principally on such other specific sections of the Education Code as provide options.

We wish to emphasize that the needed in-depth study of California schools and programs of choice is viewed as a prospective source for information of significance for decisions pertinent to the financing of education within both departments and in the Legislature as well as for decisions regarding other programs of socioeconomic consequence.

Another partial substitute for the information which is missing from this chapter is the November 1984 publication of the American Educational Studies Association: Pride and Promise--Schools of Excellence For All The People. (Copies are available from AESA, P.O. Box 598, Westbury, NY 11590, $4.25 each.)

The following statements are excerpts from this report's conclusions:

> . . . Educational excellence depends finally on teachers and students. The evidence from outstanding schools, as well as from other institutions, suggests that organizational environment can encourage or subvert the commitment to excellence. In these regards, we recommend that school environment be marked by efficacy, collegiality, and what we have called user friendliness. (p. 41)

> . . . Excellence in education . . . will require our persistent attention, high tolerance for diversity and ambiguity, and a regular diet of intelligence and creativity. (p. 42)

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*"Alternative schools and alternative programs have all the following characteristics:

1. Enrollment is optional for each student

2. The staff involved with alternative education are affiliated by choice rather than by arbitrary selection

3. Important decisions made in relation to the school or program involved the participation of all persons concerned, including parents and students

4. The instruction provided is different from and an alternative to the district's conventional (modal) program."

Chapter IX, Funding Mechanisms

The comments regarding the complexity of the funding mechanisms are generally accurate. We would agree with the observation from the report which states, ". . . that any conclusive comparison of costs and revenues must await a more exhaustive effort." Given this statement from the report, it would appear that judgments made in the report regarding funding could require more precise individual study of suggested problem areas, before programs are changed to comply with the recommendations. As defined on page 67, the report is the result of "exploratory study." As such the report is successful in identifying problems and issues for further study.

Chapter X, Concluding Comments

General Comments

This chapter identifies two issues: (1) the possibility that even though the various alternatives studied are perceived by many to be one of the solutions to the massive problem of school dropouts, the alternatives discussed in this report have not been sufficient to curb the problem; and (2) the fact that tension exists between the academic thrust of recent educational reform efforts and the possibility that intensified academic achievement is not a realistic goal for many students enrolled in the alternative programs because different goals are appropriate for different groups of students. The chapter ends with the pertinent observation that there is need for greater policy clarification on the place of alternatives in the overall scheme of educational reform.

In our view, the response to the first issue is the observation that the dropout problem would have been worse if no alternatives had existed. According to studies reported by the Citizens Policy Center and the California School Boards Association, for example, the message is that children and youth do not drop out of school when their past school experiences have been adequately responsive to their needs. It is not so much that *different goals* are appropriate for different groups of students as it is that *different delivery systems* are needed so that persons can learn in the ways that are most effective for them. The exercise of choice is also a powerful factor--schools of genuine choice appear to be significantly more effective in the education process.

Our response to the second issue is basically affirmative--there does need to be study and discussion of the identified and other related policy issues. That is why we had hoped that this study would have dealt much more intensively with the alternative schools and programs which were the subject of Chapter VIII. The tension to which this issue statement refers is real but it is perhaps more of an artifact of the current stage of reform implementation than a necessary product of the reform. For example, the Hughes-Hart Educational Reform Act of 1983 is principally a "bundle" of incentives offering significant flexibility not only to exercise but also to reject the options. Repeatedly, *problems have occurred* when local officials mistakenly perceive these incentives to be rigid mandates and adopt response patterns which tend to be inflexible.

For example, to illustrate the last point, the 1983 reform act "stiffened" high school graduation requirements with the likely result that high school students would be more restricted in their opportunity to take elective courses. However, the act preserved virtually unchanged in EC Section 51225.3(b) the mandate that: "The governing board . . . shall adopt alternative means for students to complete the prescribed course of study . . . .

The problem for many--perhaps most--students, including those who drop-out, is not so much that they have to take more classes in a subject field but how the subject is structured. Classes must be structured in a way that is responsive to the felt needs and perceptions of reality of the students. That is exactly why this study and others are needed--to provide the data and information base for informed decision making regarding the place of alternatives in the overall scheme of educational reform. The effort that went into this study and much of the report is very much appreciated and is seen as a constructive contribution.

APPENDIX C

COMMENTS ON DEPARTMENT OF EDUCATION RESPONSE

This response deals only with the few areas in which the study team believes there is a need for elaboration.

Independent Study

The study team is puzzled by the opening remarks of the SDE response to the DOF chapter on independent study. The SDE response notes as a "significant omission or oversight" that "an increasing number of students, especially at the elementary level, fall into another category: the use of independent study as a means of providing home study--an attractive and successful option especially for parents who want or need to provide their children with an essentially tutorial and enriched education instead of what is available to them" (emphasis added). What is available is usually the public schools which are the responsibility of the Superintendent of Public Instruction. Is the response suggesting that SDE policy is to encourage home study, in fact to legitimize it by cloaking it in the authority of "independent study"? Such a policy would ignore the presumed advantages to society of the socializing effects of student participation in school--as opposed to home--based education.

The study team's findings raised questions concerning the Constitutionality of the practices of some school districts which used the independent study program to claim State apportionments for students enrolled in private schools. The SDE response states that "(t)he basic issue is one of setting limits on or creating standards for contractural relationships between a public school governing board and any prospective contractor with regard to certain instructional services." However, the DOF recommendation involved cases in which the total educational programs of students are provided by private schools; in effect, the SDE response overlooks the fundatmental nature of the issue at hand, which is the practice of using State funds for the education of students enrolled in private schools. It is the Department of Education which certifies the apportionment of State funds by the Controller to the school districts involved in this practice; consequently, the Department of Education should request an Attorney General's opinion regarding the Constitutionality of this practice in order to insure the appropriateness of the certification.

The report recommends that the Legislature repeal the existing ten percent cap on the enrollment in independent study of students enrolled in continuation or opportunity schools. The SDE response favors the retention of this cap. The DOF ordinarily approves of participation caps on programs such as independent study, and actually does so in this case also by recommending the imposition of a new overall participation cap for every district's total enrollment in independent study as a percentage of total district enrollment. The study team believes that an overall cap will be a much more effective and meaningful tool to control this program, in large part because of practices encountered in its field work. School districts can, and do, evade the intent of the existing limitation on independent study by means of administrative arrangements. A student who is enrolled in a continuation program, for instance, may be "transferred" back to "regular" education on paper and then transferred to the independent study program without affecting the existing cap. Caps are useful only when they are effectively enforceable; the existing cap on independent study limited to students enrolled in continuation and opportunity programs is not enforceable and should be eliminated.

In the area of attendance accounting, the DOF report recommends "adoption of legislative or regulatory standards requiring that a student be declared ineligible for full-time independent study if the student exceeds an allowable number of unexcused absences." The SDE response indicates non-acceptance of this recommendation "because it reflects a basic misconception of how attendance is computed for independent study." The SDE argument is that attendance for purposes of independent study can be measured only by means of student output, rather than by the usual measure of student "seat time" in a school setting. In contrast, the study team believes that when State funds are being apportioned to schools to support activities undertaken to replace the "regular" full-time educational program of students, then the State should expect and require that a regular, auditable, record of some substantive "face-to-face" contact between the student and the educational entity should exist. The independent study programs visited by the study team generally required at least one weekly student contact, and some had established rules for terminating from the program students who missed more than a nominal number of scheduled appointments. This practice seemed reasonable to the districts involved and it seems reasonable to the study team. On the other hand, the SDE position would theoretically countenance the payment of State apportionments for students who provided indication of having mastered a district approved curriculum for any period of time--be it one year or twelve years--with no intervening contact with school district employees. This is an interesting position, but we do not believe it is a meaningful basis for the apportionment of public funds.

Regional Occupational Centers/Programs

The SDE response to the chapter of the report dealing with regional occupational centers and programs begins by noting that "State Department of Education staff do not view vocational education as an alternative education system. It is viewed as an integral part of the comprehensive education system, where students have the opportunity to reinforce basic skills through application and acquire needed general vocational and job specific skills for entry-level jobs, upgrading, or advanced training." The SDE response mistakes the context in which the study team uses the term "alternative", which is a generic context indicating those programs which differ from conventional full-time study of academic subject matter.

The SDE response includes disagreement with the DOF recommendation that "the Department of Education instruct ROC/Ps that ADA may not be claimed for a student's attendance beyond the approved course hours." The study team does not understand the logic of having SDE determine precisely how many hours may be claimed for each approved course if the resulting approved hours are not to be followed. In the discussion of our findings, we pointed out that ADA was being overreported as a result of excess hours being claimed on certain courses. This overreporting of attendance is contrary to the expectation that school districts will report accurate ADA figures, and that the Department of Education will apportion state funds on the basis of accurate ADA reports.

The basic problem has not been mitigated even though the Department of Education has received reports upon four years of ADA compliance auditing by the Department of Finance in the school districts. In several of those school district audit reports, the Department of Finance has pointed out that ROP/ROC attendance is being overreported because of inadequate attention to basic compliance requirements on what constitutes an ADA for apportionment purposes. In the memorandum to the Department of Education, dated August 19, 1983, concerning open and pending items, we highlighted several problems and issues which continue to be observed on our compliance audits. In addition to the basic problem of overreporting of attendance, we believe there is a continued problem in the ROP/ROC area in allowing full (rather than pro-rata) ADA funding for the reduced 180 minute seat time for the school district, plus full funding for the ROP/ROC activity.

Community Schools

The section of the SDE response dealing with community schools raises two points which deserve additional explanations: the funding mechanism and school-day requirements and practices found in community schools. Section 1981 of the Education Code authorizes the enrollment of students in community schools under three different conditions. The first two conditions are students expelled or otherwise referred from school districts. The third category of student includes students on probation and "status" offenders who have been made wards of a court. Use of these categories appears to be subject to some local discretion; some operators of community schools informed the study team that the local courts and/or probation departments routinely classified youth assigned to their schools as wards of the court or probationees for the purpose of securing the higher per student allocation of State funds which accompany such designations. In some cases, moreover, the actual operator of the "community school" was not the county, but the county claimed the attendance and then passed on a portion of the resulting State funds to the operator. These practices appear questionable.

The SDE response states that "(t)he implication in the report that students attend less school as result of working is not accurate". The practice in question is that of having students attend school every other day, spending the other days in supervised work details--cleaning up public parks, for instance. By having the students attend school for six hours on the days that they are in school, the school can generate enough attendance minutes each ten days to claim full-time ADA--and double the efficiency of the school because different groups of students alternate days of school and work, while the same teachers staff the school every day. The salient policy question is whether this use of minimum school attendance requirements should be permitted.

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